DELINQUENCY'S TREATMENT: WHY INTERACTIONS PRODUCE POLICY AND IDENTITY IN SECURE JUVENILE FACILITIES

by

Jennifer Mei Jun Yim

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STATEMENT OF DISSERTATION APPROVAL

The dissertation of **Jennifer Mei Jun Yim**

has been approved by the following supervisory committee members:

Peregrine Schwartz-Shea	, Chair	**April 18, 2017** Date Approved
Mark Button	, Member	**April 18, 2017** Date Approved
Leslie Francis	, Member	**April 18, 2017** Date Approved
Sharon Mastracci	, Member	**April 18, 2017** Date Approved
Ella Myers	, Member	**April 18, 2017** Date Approved

and by **Mark Button**, Chair/Dean of the Department/College/School of **Political Science**

and by David B. Kieda, Dean of The Graduate School.

ABSTRACT

Official policy narratives in the juvenile-justice system have historically vacillated between orientations to punish and rehabilitate. Yet research suggests that despite dramatic policy changes, the primary narrative of the juvenile-justice system is one of continuity. This dissertation examines how day-to-day interactions between youth and staff in a juvenile secure-care setting express public policy in ways that account for slippage between official articulations and their implemented versions. Using policy documents along with field research that includes ethnographic observations, indepth interviews, and case file reviews, this study both investigates the local setting as a site of politics and reaches across levels of analysis to offer recommendations for juvenile-justice policy implementation and service-delivery practice. It identifies insights into how policy and practice affect conceptions of identity at personal and collective levels.

In secure care, interactions between youth and staff occur in an environment that is highly disparate in terms of power and yet is still one of mutual influence. Interactions have important consequences for policy, treatment services, and identity. They affect both youth-identity formation – a central part of the adolescent-development project – and staff professional identity. The quality of interactions in secure care can affect program outcomes, including youth openness to treatment, legal socialization, and recidivism. Further, I show staff behaviors and professional identities to be at risk due to the contagious influence of youth street mentalities. Key recommendations seek to enhance developmentally-appropriate and evidence-based efforts to treat delinquency, including: 1) the fostering of a productive pluralism in secure care; 2) the incorporation

of procedural-justice approaches to improve the quality of interactions at multiple organizational levels; and 3) the import of a critical consonance between *what* we teach youth and *how* we teach them.

To the youth I met in secure care and to the staff of the Utah Division of Juvenile Justice Services, from whom I have learned nearly all of what's here. Thank you for opening your worlds to me, thereby helping me to expand mine. I hope it will have done some good.

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LIST OF ABBREVIATIONS

BARJ	Balanced and Restorative Justice
CYA	California Youth Authority
DMC	Disproportionate Minority Confinement/Contact
DYC	(Utah) Division of Youth Corrections
EB	"early bed"
EBP	Evidence-Based Practices
ICR	Integrated Crisis Response
JJDPA	Juvenile Justice and Delinquency Prevention Act
JJS	(Utah Division of) Juvenile Justice Services
NCCD	National Council on Crime and Delinquency
NRC	National Research Council
OJJDP	Office of Juvenile Justice and Delinquency Prevention
RP	"restricted programming"
SYO	Serious Youth Offender (Act)
UBJJ	Utah Board of Juvenile Justice
YDC	(Utah) Youth Development Center
YPA	(Utah) Youth Parole Authority

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CHAPTER 1

DELINQUENCY'S TREATMENT: DAILY INTERACTIONS AS JUVENILE-JUSTICE POLICY

> It is unrealistic to think that changes in the juvenile justice *system* will solve the crime problem among the nation's young people.
> ~ Jenson and Howard, 1998, 331, emphasis added

> It is the experiential encounters between young people and regulatory orders which form the crucible in which both individual and institutional identities are forged. [Further,] the characteristics of institutions are shaped by social action as much (if not more than) the official narratives bound up in policy discourse.
> ~ McAra and McVie, 2012, 369-70

In 1986, Utah's juvenile-justice system achieved national acclaim as a model program. The Annie E. Casey Foundation, in conjunction with Ira Schwartz, then senior fellow at the Center for the Study of Youth Policy at the Hubert H. Humphrey Institute of Public Affairs and former director of the federal Office of Juvenile Justice and Delinquency Prevention (OJJDP), sponsored a series of policy forums around the nation to highlight national trends in juvenile justice and exemplary programs with the hopes of spurring replication in other locations (Schwartz, 1989). The forums highlighted programs in Utah, Massachusetts, and Michigan. In June of that year, a representative from Utah was invited to testify at a U.S. House of Representatives oversight hearing on the Juvenile Justice and Delinquency Prevention Act (JJDPA). C. Ronald Stromberg, director of the newly created Utah Division of Youth Corrections (DYC), hailed the leadership of Governor Scott Matheson, the financial and technical assistance provided

by OJJDP, and Utah's emphasis on family and on youth programs for the state's accomplishments.

The acclaim recognized the significant change Utah had accomplished since the 1974 passage of the JJDPA by Congress. Spurred in part by a lawsuit, Utah used a governor-sponsored task force on juvenile justice to start its reform process. The state removed over 80% of youth from adult jails and achieved sight and sound separation from adult detainees for over 75% of those youths remaining in jail. It lowered the numbers of status offenders being held in detention from over 3,000 to just over 100. The state closed its training school and deinstitutionalized most of the youth housed there, enrolling them in a number of newly developed, community-based programs. Utah retained only 60 out of 450 training school youth, its most violent youth offenders, and housed them instead in two small secure-care facilities run by the state. In Stromberg's words, Utah's juvenile-justice system had come to treat youth "more humanely" through a philosophical shift such that "emphasis in every program is *individualized treatment* in the least restrictive setting *which protects the community*" (U.S. Congress, pp. 35 & 31, emphasis in original). Outsiders called this shift a reaffirmation of the importance of rehabilitation efforts in juvenile justice (Macallair, 1991). By making these changes over a 12-year period, Utah situated itself as a national leader in juvenile justice (Van Vleet, Rutherford, & Schwartz, 1987).

Yet by 1999, only 13 years later, Utah's situation had changed considerably. Its juvenile-justice system became the subject of an indepth, state-legislative audit that criticized it for having internal role conflict and confusion between its juvenile courts and DYC which, in turn, led to inefficiencies in both implementation and the development of new programs. According to the audit (State of Utah, 1999), the juvenile-justice system lacked a system of graduated sanctions that was wide enough to accommodate the diversity of youth needs. In particular, it needed to enhance its focus on intervention

services to youth at the early stages of delinquency and to increase the number of intermediate sanction options provided by the system. Finally, the audit criticized the juvenile-justice system for relying on individual judge and staff choices rather than on standardized assessment tools. In conducting the audit, state auditors relied on assistance from the National Council on Crime and Delinquency (NCCD). NCCD's director, Barry Krisberg, recommended that Utah look, in part, to the Massachusetts model for assistance in system reform, particularly in the area of graduated sanctions. It seems that while Massachusetts had retained its model program acclaim, Utah had lost that status.

* * *

What accounts for this dramatic change? Is it, indeed, as dramatic as it appears? Would youths in Utah's juvenile-justice system across these two time periods have encountered significantly different systems and resulting experiences? What role do societal factors, such as demographic changes in the youth population, media attention and legislative initiatives, play in affecting juvenile-justice policy? Is attention to "the system" the best place to look for insight about what happens to delinquent youth and the problem of juvenile crime? If, as the first epigraph indicates, changes to "the system" are unlikely to solve the problem, what has promise to make a difference?

The answers to these questions are relevant to those within the system – such as judges, administrators and staff, youth in custody and their families – and to those outside of it – such as policy makers and the general public. Both those who question whether taxpayer dollars are well spent and those who seek to solve tough social problems like juvenile crime usually look to system functioning and quantitative analyses that include usage rates and outcome statistics, often searching for potential levers for change. System weaknesses, be they recidivism rates or high program costs or gaps in service, can all become fodder for reform agendas that are commonly premised,

explicitly or implicitly, on different philosophical approaches to the social problem of delinquency. In juvenile justice, some reform approaches have championed official narratives about youth rehabilitation while others have been more explicitly punitive. These official policy narratives and program measurement receive frequent attention in academic and political spheres. What often escapes consideration is attention to the day-to-day aspects of service delivery.

This dissertation explores the ways in which juvenile-justice policies hinge on what occurs in the day-to-day setting. The crux of day-to-day service delivery in the juvenile-justice system, especially in secure care, are the daily interactions between staff and youth and the lived experience of each group. The actions that secure-care staff take to enforce rules, provide delinquency treatment services, and convey the official narratives of juvenile-justice policy require interpersonal interaction with youth. Action in secure care is not unilateral. Instead, it relies critically on intersubjective meaning-making and attention to the quality of human interactions. The experiential encounters between staff and youth in secure care materialize juvenile-justice policy in ways that demonstrate slippage from official policy narratives.

In this dissertation, I attend to day-to-day, service-delivery interactions. I assess the experiences of workers and youth in a secure-care setting, based on observations of their interactions and their effects on both sets of individuals as well as the treatment setting. I focus specifically on the ways that identities are invoked and enacted in secure care by youth and staff. I also consider the ways in which the treatment of youth by staff can affect compliance with treatment and security goals.

My focus on the links between interaction and identity and delinquency treatment is informed by several factors, all of which will be explored later in greater detail. A brief summary here provides an overview. First, the juvenile-justice system is based on the founding philosophical principle of the juvenile court: *parens patriae*. A

medieval English doctrine that gives responsibility to the Crown for those properties and people that were unable to care for themselves, *parens patriae* positions the state as substitute parent (Shelden, 2000). In juvenile court, it allows the judge to order a child to the state's custody and thereby intervene whenever the family setting "fails to provide adequate nurture, moral training, or supervision" (Zimring, 2005, p. 6). An order sending a youth to secure care relies upon *parens patriae* when the youth is found to have committed offenses sufficient to warrant long-term confinement. When the state acts as parent, it is the staff "parent" – not the agency, policy maker, or administrator "parent" –that the youth perceives. The judge gives the secure-care facility custody of the youthful offender, but it is the staff that embody that custody, implement its treatment programs aimed at educating and socializing youth, and provide the meals, care and the affective interactions that approximate the parental function. The identity of "parent," as well as a diversity of other roles (Inderbitzen, 2007b), shapes encounters between line workers and youth. Indeed, even absent the *parens patriae* philosophy, the "street-level bureaucrat" literature (e.g., Lipsky, 1980) demonstrates the considerable role that identity plays in routine encounters between government workers and citizen-clients.[1]

Second, one of the primary developmental tasks of the adolescent years (most secure care youth are between 15 and 18 years of age) is identity formation (Erikson & Erikson, 1957; Garbarino, 1982). It is the task of this age group to develop and form one's identity. To attempt to do so in a secure-care setting, where one's identity is regularly interrogated for the purposes of assessment and treatment, means that identity plays a significant, if often unacknowledged, role in this setting. The fact that this and

[1] In this dissertation, I use the term "staff" to denote those that work directly with youth clients. I use "staff" rather than "street-level bureaucrat" because it acknowledges the name that secure-care employees give to themselves. And of course, secure care offers no access to the "street," but the premise of one-on-one client service is the same.

other developmental tasks, including brain development, are not yet complete in the teen years is one of the arguments offered by leading legal experts for the retention of a juvenile court system, rather than its abolishment and handling of all delinquency matters in a criminal court (Scott & Steinburg, 2008). Analyzing identity in this setting means paying attention to relevant features of secure care as well as developmental features of adolescence. As the second epigraph demonstrates, it is not only individual youth identities that are at stake in secure care. Institutional identities, and, I argue, staff professional identities are also forged and modified by day-to-day interactions in secure care in consequential ways that affect system function and policy expression.

Third, compliance by youth is one of the key factors in secure care: compliance with safety and security as well as compliance with treatment goals. Many of these youths have committed violent offenses, and those with gang affiliations bring allegiances into facilities both of which increase the potential for violence , making safety and security critical concerns. In addition, youth in Utah are sentenced to secure care until they are 21 years of age or until they are released by the Youth Parole Authority (YPA). This juvenile parole board tracks youth treatment progress during their time in secure care, applies sentencing guidelines and makes all release decisions. Although time served is a consideration in YPA decisions, treatment compliance is a major concern (Prince, Sarver, Worwood, & Buttars, 2014). Youth are routinely advised that they should not just "do the time" but must "do the program" as well. What factors engender compliance in situations where youth are subject to the decision-making authority of others is analyzed in the procedural justice literature (for example, Tyler & Huo, 2002). Specifically, research finds that youths' identity and their determinations of legitimacy mediate the link between treatment and compliance.

My assessment of juvenile-justice policy derives from policy documents along with two 6-month ethnographic observation periods of two different secure-care

cottages, case file reviews of the observed youth, as well as interviews of other DYC treatment staff and secure-care youth. I chose this ethnographic lens based not only on an assessment of the scholarly literature but on my professional experience in the administration of the juvenile-justice system. I have worked in court administration, as a parole board member for the juvenile-justice system, and in other roles in the justice system. However, none of these experiences provided me with the opportunity to observe the intensive, prolonged interactions between youth-in-custody and staff that this dissertation research required. Since completing the field research, I served as a juvenile-justice consultant providing procedural-justice training to staff and conducting implementation research. During that work, I had the additional opportunity to interview youth at the early stages of delinquency and to watch their interactions with treatment workers. The insights resulting from those observations and interviews will find expression at some future time.

Here, my focus is on seriously delinquent youth, those considered such a risk to society that they have been placed in secure confinement by a juvenile-court judge until they reach 21 years of age or until they are released by the YPA. As will be discussed in greater detail later, my position as a researcher was only one of potentially several positions that were visible to workers and youth. I did not know all the workers or youth in my study in advance of my research, but I did know some of them. More importantly, my knowledge of the system and their knowledge of me (direct or indirect) influenced my study in obvious and less obvious ways. One important challenge of this research is to articulate those ways as they emerged in the research process.

The dissertation is organized into eight chapters. Chapter 2 is a policy history based on secondary sources at the national level and policy documents specific to the state of Utah. It provides background information about the founding of the juvenile-justice system in the United States. It addresses the question of what happened in Utah

between 1986 and 1999 and in the years since the 1999 audit, providing further motivation for the approach I have taken here. Chapter 3 reviews the interdisciplinary literature most directly related to my research, a diverse set of sources from criminology to political philosophy with a focus on two empirical research literatures related to interactions between those in positions of governmental authority and those subject to that authority. Chapter 4 focuses on the methodology of my study—how I generated the evidence, its strengths and limitations for addressing my primary research question: *how do the interactions between juvenile-justice workers and secure-care youth make use of identity to affect and materialize juvenile-justice policy?* Chapters 5 through 8 form the core findings of my study, focusing on a) the role of interactions in the expression of treatment services and public policy, b) the effect of interactions on youth identity, youth development, and treatment environment, c) the impact of staff-youth interactions on staff professional identity and the quality of service delivery, and finally e) youth outcomes and recidivism. In Chapter 8, I also make recommendations about juvenile-justice policy and practice. Chapter 9 provides the study's conclusion.

CHAPTER 2

A HISTORY OF JUVENILE-JUSTICE REFORM: EXPLORING POLICY CHANGE AND ITS RELATION TO INSTITUTIONAL PRACTICE

In the introduction, I contrasted two moments in Utah's juvenile-justice system and asked what accounts for the dramatic change between them. To determine what happened between 1986 (when Utah received national acclaim for its reform efforts) and 1999 (when it was found by a state legislative audit to have multiple problems including role confusion, program inefficiencies and gaps in service), requires, at a minimum, understanding some history of juvenile justice in the United States and Utah. This chapter aims to provide a policy history that is suggestive, rather than definitive, of the range of relevant issues. Given this dissertation's focus on the secure-care setting, this chapter places an emphasis on the evolution of juvenile-justice institutions nationally and in Utah.

Including a policy history in a project centered on how identity is expressed through interactions between secure-care workers and youth residents serves several purposes. First, a policy history provides the reader with background and context to help situate the interactive-level analysis. In this chapter, I outline themes that run throughout the history of juvenile-justice policy in the United States, many of which influence today's secure-care setting, including *parens patriae;* the varying goals of juvenile-justice reformers, including intervention, diversion, and public safety; and

issues of poverty and race.[2] Second, although my field research does not, indeed could not, specifically address the changes in Utah from 1986 to 1999, it does clarify what information is missing from policy histories as they are commonly told and as this one is also told. In other words, this policy history informs my claim that ethnographic evidence adds depth and insight to documentary research about politics. Finally, it draws attention to the level of relevance at which this dissertation aims: that of juvenile-justice policy. The purpose of examining interactions between youth and juvenile-justice-system workers is to draw insights about the broader political questions of how we should address juvenile crime in this country and the *political* implications of current efforts. Beginning with a policy history and concluding with policy recommendations situates the insights gained from my interactive-level analysis in a broader context.

The chapter begins with a brief historical account of juvenile-justice institutions and the juvenile court. I also discuss the 1974 Juvenile Justice and Delinquency Prevention Act (JJDPA) and its impact on model reform states like Utah. The second section discusses the interim years between 1986 and 1999 in terms of the national and local juvenile-justice scene, addressing factors that can help to understand the dramatic situation change. As the chapter proceeds, I focus increasingly on the Utah Division of Youth Corrections (DYC) (later called the Utah Division of Juvenile Justice Services, or JJS), the agency responsible for the custody of youth after disposition by the juvenile court, including secure care. Finally, relying in part on analyses in the criminology literature, I assess the change, suggest how experiential information might assist in

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[2] Gender is a consistent theme in the history of juvenile justice. I do not address it here due to space limitations and because the observation portion of my study was limited to boys in secure care. Currently about 10% of the secure care population in Utah is female. Although that percentage has fluctuated over time, my inquiry suggests that it has not been higher than 10%. In 1891, 9% of the Utah Industrial School's population was female. Those percentages were 2.2% in 1989, 6% in 1999, and 9% in 2011 when I conducted my research study. I address gender in terms of staff in later chapters. My prior research has focused on gender and equality in the juvenile-justice system.

offering a coherent and compelling account of policy change, and provide a brief update of DYC since 2000.

Juvenile-Justice History and Early Themes

19th-Century Institutional Responses to Delinquency

The first institution established in the United States to control juvenile delinquency was the New York House of Refuge, begun in 1825 (Krisberg, 2005). Similar houses of refuge followed elsewhere, all having the aim of controlling what was viewed as a dangerous element of society: the children of poor, often immigrant, urban families. The New York House of Refuge was founded by a group of 19th-century philanthropists, called the Society for the Reformation of Juvenile Delinquents, whose ultimate goal was to preserve existing property and status relationships through the prevention of pauperism and the reduction of juvenile delinquency (Mennel, 1973). Not particularly optimistic about the prospects of rehabilitation, they still sought to intervene in the lives of "street urchins" and "abandoned waifs" and reform their character through regimentation, repetition, and obedience to authority. They deemed this training and regulation to be missing in the family upbringing of these poor, often immigrant youth and saw its absence as a cause of criminality.

As Mennel (1973) notes, by the 19th century juvenile delinquency "ceased to mean a form of misbehavior common to all children and instead became a euphemism for the crimes and conditions of poor children" (p. xxvi). For the Society for the Reformation of Juvenile Delinquents, a juvenile delinquent was defined as "a child who broke a law or who 'wandered about the streets, neither in school nor at work and who obviously lacked a 'good' home and family'" (Shelden, 2000, p. 202, quoting Hawes, 1971). Indeed, in addition to poverty, race as expressed as immigrant status and country of origin was salient to these reformers. Yanow (2003) demonstrates that social categories of race are

created through usage. In the early 1900s, "'American' still meant 'White' but Irish, Poles, and others were seen as—and called – 'Black'" (p. 36). In its early stages, definitions of delinquency implicated race and class and triggered the interventionist aims of conservative reformers. That tendency would continue and magnify, despite efforts to counter it, into contemporary times.

These conservative reformers envisioned large institutions that combined education and work within a prison-like setting. Commitments to houses of refuge occurred through the (adult) criminal courts and were made for indeterminate periods of time up to the age of majority. During this era, the age of commitment was sometimes under 10 years of age. In practical terms, this meant that a young child might be found guilty of petty theft or perhaps merely of being "in danger of growing up a pauper" (Shelden, 2000, p. 207) and sent to a house of refuge for several years.

To commit a child to a house of refuge, the courts relied on the doctrine of *parens patriae*. Perhaps the clearest early articulation of the doctrine comes from the 1838 court case, *Ex Parte Crouse*, where a father challenged his daughter's commitment to the Philadelphia House of Refuge. The girl's mother had committed the girl without the father's knowledge. The court rejected the father's writ of *habeas corpus* with this elaboration of *parens patriae*:

> The object of the charity is reformation, by training the inmates to industry; by imbuing their minds with principles of morality and religion; by furnishing them with means to earn a living; and, above all, by separating them from the corrupting influence of improper associates. To this end, may not the natural parents, when unequal to the task of education, or unworthy of it, be superseded by the *parens patriae*, or common guardian of the community? The infant has been snatched from a course which must have ended in confirmed depravity; and, not only is the restraining of her person lawful, but it would have been an act of extreme cruelty to release her from it. (1838, as cited in Krisberg, 2005)

Although *parens patriae* continued to serve as the essentially unchallenged foundation of the juvenile-justice system through the mid-20th century, from the beginning, the capacity of the state to serve effectively as a substitute parent was

uncertain. The treatment of juveniles confined to houses of refuge quite often ran counter to images of "charity" and "reformation" and separation from "corrupting influence." Based on institutional records and investigative reports from multiple refuge houses from 1838 to 1898, Pisciotta (1982) found that "there was often a considerable difference between the rhetoric of the keepers and the reality confronting the inmates" (p. 413). For example, he found consistent practices of extreme corporal punishment much beyond accepted standards for the times, a contract labor system that resulted in great profits for administrators but no real present or future benefits for youth, and a level of youth violence directed both at refuge house workers (often during the many escape attempts) and at one another, all of which belied the benevolent rhetoric. In practice, and in its demonstration of a common situation to be faced by future juvenile-justice institutions, the benevolent effect of *parens patriae* with the house of refuge movement was equivocal.[3]

An additional but more modest aim of these refuge house founders was the diversion of youth away from adult jails and prisons. During this time period, children as young as 6 were beginning to appear in court and were incarcerated with adults. Diversion, with a goal to "remove the children from the corrupting environments of prisons, jails, 'unfit' homes, slums, and other unhealthy environments and place them in more humane and healthier environments" (Shelden, 2000, p. 202), served as an enduring concern of juvenile-justice advocates. It was distinct from, though sometimes intertwined with, interventionist efforts aimed at reformation or rehabilitation (Zimring, 2005). The houses of refuge successfully diverted youth from places of adult incarceration. Whether they accomplished the goal of removing youth from corrupting environments is more questionable.

Other efforts followed the house of refuge movement, including the "child savers"

[3] See also Picket (1969), Rothman (1979), and Schlossman (1977).

movement which became increasingly active in the Progressive Era. These efforts were often based on more optimistic views about the possibility of reforming youth but also were motivated by the desire to save youth from negative environments and provide them with the means for a productive life. Evidence from the time period suggests self-conscious attempts to refine the interventionist techniques used to "mold, reshape, and reform wayward youth" (Krisberg, 2005, quoting Hawes, 1971, p. 34). Like their predecessors, "child savers" continued to focus on countering the perceived negative influence of poor, immigrant families on society and sought to divert youth from incarceration in adult institutions.

Skepticism about the effects of institutionalizing youth, brought about in part by problems at the houses of refuge, led to a range of reform strategies. Formalized efforts to provide services to street youth occurred in the community rather than only in institutions. Individual youth were "placed out" on the Western frontier with farm families. Child savers also attempted to create better institutions for "wayward youth." They placed some institutions in rural areas based on the idea that removing youth from the negative influences of urban environments would be beneficial and perhaps create better institutional environments. Child savers also created reform schools, so named to highlight the emphasis on schooling.

By 1876, there were 51 refuges or reform schools in the United States and nearly three-quarters were run by state or local governments (Krisberg, 2005). There was considerable variation in how reform schools were run, but in the mid-1800s, the cottage or family system became popular. The system involved "cottages" or "families" of 40 or fewer youth who lived together and had their own schedule within the larger institutional setting. Many of these institutions also centered on youth labor, either agricultural labor or contract labor, which financed a large portion of their operating budgets. The family system served multiple functions for reform schools, including labor coordination and

social control.

In 1888, the Utah Territorial Legislature created a reform school "for the confinement, discipline, education, employment, and reformation of juvenile offenders" (Bradley, 1983) in Ogden, after a legislative committee studied reform institutions across the United States. The committee eschewed prison-like facilities in favor of "the Michigan plan" that used a family system. The building allotted for the school did not allow for separate "family" living spaces, but "the ideal was to make the school as near like a home as possible" (p. 331). The school's philosophy was declared with a:

> view to reclaim youth, before it has become too far tainted with crime, and thus not only to save the state the expense of future criminal trials and detention, but also secure from the future labors of such youth, that support, which every re-claimed (sic) citizen as a special token of gratitude would naturally give the state. (Utah Territory, Fourth Biennial Report of the Trustees of the Territorial Reform School, 1896, as cited in Bradley, p. 335)

Bradley has documented the intentions of Utah's reform school founders, which was congruent with *parens patriae* and the progressive optimism of the times. By 1896, 184 boys and girls had spent time at the school, which near the time of statehood, became known as the Utah State Industrial School.

The Optimism of the Juvenile Court, 1899 - 1925

The creation of the juvenile court at the turn of the century reinforced and at times extended prominent features of 19th-century efforts to address delinquency, including social control, the reliance on *parens patriae*, the inherent critique of poor (immigrant and racial minority) families, and the desire to divert children away from adult jails and prisons. The creation of the nation's first juvenile court occurred with the passage of an Illinois state law. The new Illinois juvenile court heard the cases of neglected, dependent, and delinquent children and effectively extended *parens patriae* to the entire court process. In terms of delinquency, the court was given jurisdiction in

cases of incorrigibility and truancy, as well as for conduct considered criminal. The law provided for a system of probation supervision, a feature that would become a programmatic mainstay of juvenile courts, and allowed the court to institutionalize children and place them in foster care. Within 10 years of the Illinois juvenile court's creation, 10 other states had established similar courts. By 1925, all but two states had established juvenile courts (Krisberg, 2005).

The first juvenile court in Utah was established in 1903. By 1910, a separate juvenile court had been established in each judicial district and separation from the district courts was complete (Holt, 1957). In many respects, Utah's court was similar to the Illinois model. It included a probation program, with probation officers who made formal complaints, served notices, conducted home studies, and worked to resolve cases informally before cases came before the court.

Many advocates of the juvenile court concept, both in Utah and nationally, were optimistic social reformers who sought to improve conditions in refuge houses and reform schools. They used scientific advances of the age to study the causes and treatment of delinquency and to design improved efforts at rehabilitation. Indeed, the Progressive Era saw the creation of many features of today's legal system, including indeterminate sentencing, public defenders, police professionalization, the use of parole, and the scientific study of crime (Krisberg, 2005). For these reformers, as exemplified by the work of William Healy, delinquency was the result of a wide variety of social, psychological, and behavioral factors (Healy & Bonner, 1916). Because of this fact, efforts at rehabilitation needed to be individualized (Healy & Bonner, 1915). A focus on individual needs and treatment continues to underlie the efforts of juvenile justice today.

One way of articulating *parens patriae* that is consistent with the optimism of the Progressive Era, is to see it as a theory of "public responsibility for childhood care, custody and discipline" (Zimring, 2005, p. 5). This generous

sense of societal responsibility for its youngest members underscored the efforts of the likes of Jane Addams, Julia Lathrop, and Denver's Juvenile Court Judge Ben Lindsey. To see progressive social reformers as entirely motivated by the goal of social control misunderstands the optimistic compassion of their interventions. As Boston's Judge Julian Mack wrote in 1909, the purpose of the juvenile court was "not so much to punish as to reform, not to degrade but to uplift, not to crush but to develop, not to make him a criminal but a worthy citizen" (Mack, 1909, p. 107). The wide discretion given to juvenile court judges through *parens patriae* and underscored by the intentionally informal proceedings and broad jurisdictional categories supported their mission-related enthusiasm because it meant, in effect, that "no matter what the cause, no matter who was at fault, state power could and should be invoked to save children" (Zimring, 2005, p. 7).

Years of Societal Change: 1925-1970

Attempts to address juvenile delinquency varied with the times, and different community efforts occurred across the nation. Some of these programs, such as the Chicago Area Project in the 1940s and Mobilization for Youth in the 1960s, worked indigenously within communities to develop internal resources and capacities to prevent crime. They were often controversial and met with varying degrees of success.

Institutional efforts included the establishment of the Youth Authority concept, beginning with the California Youth Authority (CYA) in 1941. Several states adopted the model, where youth were transferred to an administrative authority after commitment by a juvenile court judge. The authority determined the placements and services juveniles received. Developed by the American Law Institute, the model was philosophically similar to Healy's individualistic and scientific approach to diagnosis and

treatment. Krisberg (2005) notes the optimism with which new modes of therapy and psychologically-oriented treatment were applied by youth authorities, consistent with the first stated purpose of the CYA: “to protect society by substituting training and treatment for retributive punishment of young persons found guilty of public offenses” (p. 55). Unfortunately, little evidence of treatment effectiveness emerged from this time period. Analyses began to question whether enforced therapy might be more oppressive than traditional institutional efforts (for example, Mathieson, 1965). In the CYA case, the agency became the subject of considerable controversy for its harsh treatment of youth (Shelden, 2000).

In Utah, after an invited analysis of its court system by the National Probation and Parole Association and the publication of a model juvenile court act, the state legislature passed a statute in 1931 that effectively overhauled its juvenile-justice laws. Many of the changes specified and formalized aspects of court proceedings and probation services. Others worked to create a statewide structure for the juvenile courts. Two notable sections of the statute state: “no child shall be deemed a criminal by reason of adjudication,” and “the delinquent child shall be treated as misdirected and misguided, and in need of help, not as a criminal” (as cited in Holt, 1957, p. 17), effectively encoding Utah’s philosophical approach to delinquency.

The Utah State Industrial School continued to be the primary institution for the placement of delinquent youth. In 1945, despite the benevolence of its founding intentions, a National Probation Association study of the State Industrial School found that "most of the buildings along with their equipment fall far short of requirements for the proper care, education and treatment of boys and girls" (Utah Division of Youth Corrections, 1999). The study report also noted issues of overcrowding and insufficient supervisory and instructor staffing (Salt Lake Tribune, 1945).

Starting in 1966, a series of court cases made significant changes to the juvenile-

justice system nationwide. *Kent v. United States* (383 U.S. 541), *In re Gault* (387 U.S. 1 (1967)), and *In re Winship* (397 U.S. 358 (1970)) put limits on the intentional informality of proceedings by placing procedural requirements on judges and by emphasizing the rights youth have within a court proceeding. Some who opposed these rulings feared that juvenile proceedings would become more and more like adult criminal proceedings, perhaps eventually obviating a need for a juvenile court entirely (Birckhead, 2009). Some see these cases as signaling the demise of a rehabilitative aim prominent during the first half of the 20th century (Scott & Steinberg, 2008). A strong perspective at the time was one expressed by Chief Justice Warren Burger in *Winship* (1970):

> What the juvenile court system needs is less not more of the trappings of legal procedural and judicial formalism; the juvenile court system requires breathing room and flexibility in order to survive the repeated assaults on this court. The real problem was not the deprivation of constitutional rights but inadequate juvenile court staffs and facilities. (p. 397)

Although these rulings did not eliminate the *parens patriae* doctrine from the juvenile court, they did reveal the juvenile court as a place where rights-bearing youth had their rights put at risk.

Another significant development in the 1960s was California's experimentation with community-based correctional efforts. Instead of large juvenile institutions, smaller group homes, halfway houses, and other community-based treatment programs emerged as decentralized alternatives. The focus in California and elsewhere was a move away from centralized services to local government-based or community-based services. The ultimate expression of community-based correctional efforts was in Massachusetts where the state closed all of its reform schools between 1970 and 1972, thereby de-institutionalizing its juvenile offenders and placing them in their homes or in community-based programs. By 1980, Utah would begin to follow Massachusetts's example and work to deinstitutionalize its juvenile-justice system, winning it the

national acclaim described earlier.

The Juvenile Justice and Delinquency Prevention Act: 1974-1986

The 1974 congressional passage of the Juvenile Justice and Delinquency Prevention Act (JJDPA) signaled, for the first time, the appropriation of large-scale resources and commitment by the federal government to delinquency prevention (Olson-Raymer, 1983). The landmark legislation set a direction for juvenile-justice efforts nationwide. It established a system for juvenile-justice planning and advising, allocated federal funding for delinquency prevention and program improvement, and created an Office of Juvenile Justice and Delinquency Prevention (OJJDP) to disseminate current research findings, funding, and technical assistance to states. JJDPA had three core requirements: the removal of juvenile status offenders from locked facilities,[4] the achievement of sight and sound separation between juvenile and adult offenders, and the removal of juveniles from adult jails. Like reformers had done for years, JJDPA aimed, in part, to divert youth from adult institutions and from contact with adult inmates. More interventionist goals (like "child saving") continued to exist at the level of OJJDP, but they were not part of the Act's core requirements.

According to Zimring (2008), JJDPA was the government's effort at "playing catchup" after a half century of social change (p. 15) including an evolving definition of adolescence. "While the legal theory of youthful dependency stood still, the essential elements of modern adolescence fell into place: prolonged economic dependence, age segregation, and tremendous physical mobility" (p. 15). Instead of looking to how legal changes reshaped the social order, Zimring advises, here we should look at the period of 1967 – 1982 as "a period in which the law attempted to catch up with the world" (p. 15).

[4] Status offenses are acts committed by a youth that, if committed by an adult, would be considered legal. Examples include truancy, tobacco use, and curfew violation.

In 1988, to further that catch-up effort, JJDPA was amended to add a fourth core requirement to address minority overrepresentation in the juvenile-justice system. The effort was called Disproportionate Minority Confinement (DMC) and aimed to address the levels of overrepresentation of minorities in detention and correctional facilities across the nation. In Utah, in 1989 for example, African Americans were 10 times more likely than Whites in Utah to be placed in secure care, and Hispanics were almost 7 times more likely. Native Americans were 3.5 times more likely.[5] In 2002, the DMC goal was broadened to address overrepresentation at all stages of the juvenile-justice system: DMC came to mean Disproportionate Minority *Contact*. Today, overrepresentation is visually evident in any secure-care facility in Utah. In larger metropolitan areas, the magnitude of that overrepresentation is unmistakable. Secure facilities are where the U.S. houses its minority youth and poor youth that the justice system deems delinquent.

As a federal office within the U.S. Department of Justice, OJJDP was not without considerable controversy (Altschuler, Bell, & Luneburg, 1993; U.S. Congress, 1978). It did however advance the requirements of its enabling legislation through technical assistance and federal funding provided to some states. In 1979, Utah received $800,000 in funding from OJJDP to develop a network of community-based programs for delinquent youth. The grant served one of several main forces facilitating the state's move to deinstitutionalize youth. In this way, the JJDPA did more than play catch up with changing definitions of adolescence; it also pushed states to make concrete changes in their practices in order to achieve the act's core requirements.

A major impetus to deinstitutionalization in Utah was the 1975 filing of a class

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[5] In 1989, the secure-care population was 35.1% minority, even though minority youth in Utah represented only 8% of the population at risk. The overrepresentation of minorities in secure care has continued. According to the Division's 2014 Annual Report, minorities account for 51.6% of all admissions to secure care though they account for 24.1% of the population at risk. African Americans were 2.9 times more

action lawsuit against the Utah State Industrial School for "state-sanctioned abuse" of youth in its custody. The lawsuit also alleged that extended time in solitary confinement had precipitated or exacerbated resident mental illness. Governor Scott Matheson, under whose leadership the lawsuit was resolved through a consent decree, acknowledged that the state had been "running a very unprofessional piece of business" (Van Vleet et al., 1987, p. 23). In 1978, the school was renamed the Youth Development Center (YDC) and attempts began to reduce the numbers of youth committed there. In 1983, Matheson closed the YDC and deinstitutionalization continued in earnest.

Juvenile Justice in Utah, 1986-1999: Influences on Policy Change

By 1986, Utah had accomplished dramatic change in its juvenile-justice system, effectively deinstitutionalizing its status offender population, closing the beleaguered YDC, and moving its offender population into community-based programs. Two small secure-care facilities were reserved for the state's most violent and delinquent youth. The national acclaim it received, in congressional hearings and in academic and practitioner publications positioned Utah as a model state for juvenile justice.[6] However, as mentioned earlier, by 1999, the situation appeared to have reversed itself and Utah's legislative audit found the juvenile-justice system to be wanting on a number of fronts. National developments in juvenile justice and Utah's specific history provides some context, but the question remains: What accounts for the dramatic change between 1986 and 1999?

In numerical terms, Utah's change in situation between 1986 and 1999 was

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likely to receive a placement to secure care. Hispanics were 2.3 times more likely. Native Americans were 4.4 times more likely.

[6] See Krisberg (1990), Schwartz (1989), U.S. Congress (1986), and Van Vleet et al. (1987).

dramatic. In 1999, DYC reached its highest average daily population of youth in custody (1,254 youth) since its founding in 1981 (Utah Division of Youth Corrections, 1999). Four new secure-care facilities had been established since 1986 plus expansion of the two existing facilities, which created an additional 154 beds across the state. Secure-care facilities operated close to their full capacity of 214 beds in 1999. A new detention center, operated by a private provider, was built in 1997, increasing the number of detention beds in Utah's most populous county from 56 to 160. Across the state, there were a total of 302 detention beds.[7] Many detention facilities, particularly rural ones, regularly operated above capacity in the late 1990s. Over a 13-year period, the state had gone from dramatically reducing the numbers of youth held in custody to experiencing its highest caseloads to date. Clearly, much had changed.

A philosophical shift in 1986 accompanied the deinstitutionalization effort and played a role in the change, however unintended. As C. Ronald Stromberg, director of the newly created Utah Division of Youth Corrections (DYC), stated before a congressional committee, that philosophical shift placed emphasis on "individualized treatment" that would take place "in the least restrictive setting *which protects the community*" (U.S. Congress, pp. 35 & 31, emphasis in original). DYC thus worked toward the continued growth of community-based alternatives to incarceration. In 1986, 250 newly-created beds were available to youth. By 1999, there were 566 beds. Some of those beds were out-of-state boarding school programs or in-state wilderness programs, group homes or independent-living proctor homes. The state had also begun to contract for nonresidential services like counseling, tracking, and educational services. In 1999, 1,766 youth received nonresidential services from DYC. The delinquent youth

[7] In Utah, detention beds are for preadjudication and short-term stays (under 30 days), somewhat similar to an adult jail. Secure-care beds are for postadjudication stays for the most seriously delinquent youth, somewhat similar to an adult prison. Average lengths of stay in secure care vary but are usually around 9 months.

population referred to DYC by the juvenile court grew dramatically from 1986 to 1999.

In this instance, program accretion was likely limited by a couple of factors. First, by definition, DYC does not seek its clients but receives only those referred to it by the juvenile court. Thus, it cannot increase its population simply through program creation. Second, as the 1999 legislative audit observes, the juvenile court offered duplicative programming in some of the same areas served by DYC so it was not pressing DYC to grow in those overlapping areas. In order to understand the growth better, national trends are instructive.

Levels of Violent Crime

A temporary but dramatic increase in violent youth offenses, at a national and state level, had an impact on Utah's juvenile-justice system. Nationally, after a decade of stability beginning in the mid-1970s, the period from 1987 to 1994 saw a 71% increase in arrest rates for violent crimes by juveniles including murder and negligent manslaughter, forcible rape, robbery, and aggravated assault (Jenson & Howard, 1998). In Utah, between 1985 and 1994, the arrest rate for violent juvenile offenses increased by 41.7% (Haddon, 1995). The rise of violent youth offenses was notable. In fact, criminologists, public policy makers, and the public all took notice.

A couple of other things happened in the mid-1990s, related to this increase in violent crime, which are also relevant to the Utah experience. As Zimring notes, criminologists began to predict juvenile crime rates based on population forecasts (2005). This new future orientation for juvenile justice led to wildly inaccurate crime predictions and a resulting legal reform process that resembled a "moral panic" more than a rational public policy debate (Scott & Steinburg, 2008). In 1995, James Q. Wilson wrote,

Meanwhile, just beyond the horizon, there lurks a cloud that the winds will soon

> bring over us. The population will start getting younger again. By the end of this decade there will be a million more people between the ages of fourteen and seventeen than there are now; this increase will follow the decade of the 1980s when people in that age group declined, not only as a proportion of the total but in absolute numbers. This extra million will be half male. Six percent of them will become high rate, repeat offenders – 30,000 more young muggers, killers, and thieves than we have now. Get ready. (p. 507)

Later that year, John DiIulio, using more inflated numbers and dire predictions, coined the term "super-predators" to characterize the coming "demographic crime bomb" that would unleash a growing number of "hardened, remorseless juveniles" against whom "we will have little choice but to pursue genuine get-tough law enforcement strategies" (1995, pp. 23 & 28). The media and politicians listened, and the super-predator image was invoked repeatedly during the subsequent legal reform process. The "moral panic" that followed featured "intense public hostility toward young offenders (often identified as members of minority groups), exaggerated perceptions about the magnitude of the threat, and the conviction that drastic measures in response" were essential (Scott & Steinburg, 2008, p. 18).

Importantly, the super-predator prediction never came true. In fact, national crime rates, including juvenile crime, dropped all through the mid-1990s, beginning in 1993 and into the next century. Violent juvenile crime rates dropped more sharply than adult rates, an overall drop of 75% from 1993 to 1999 (Zimring, 2005, p. 121). By 2000, violent crime rates were lower than they had been at any time during the prior 20 years (p. 122). By 2007, the rate of violent juvenile crime was lower than it had been in 1980 (Merlo & Benekos, 2010). In Utah, juvenile crime rates began to drop in Utah in 1993, both for violent and property offenses and except for a 1-year rise in 1998, continued to drop through 2004 to levels dramatically below those in the mid-1980s (Haddon, 1995; Utah Commission on Criminal and Juvenile Justice, 2015). Nothing criminologists had said about crime rates using demographic predictions had come true. During the late 1980s, youth violence levels rose despite youth population decreases. In the 1990s,

despite the growing population of adolescents, crime rates declined. That adult crime rates varied in similar patterns to youth crime counters the super-predator rhetoric by demonstrating that "juveniles did not stand out as a particularly predatory cohort" (Difonzo, 2001). Much was wrong with the idea of using demographic trends to predict the rate of violent juvenile crime.

The "Tough on Crime" 1990s: National Punitive Trends

Demographic-based crime predictions and the moral panic that accompanied the super-predator narrative fueled significant policy change across the nation, including in Utah. The temporary rise in levels of juvenile violence, the ready availability of firearms, and the increasing activity of gangs across the country also pressured policy makers to revise the way the country responded to juvenile offenders (Scott & Steinburg, 2008). But as Scott and Steinburg argue, the tenor of that national reform process was hostile with mostly conservative politicians denouncing the juvenile-justice system, especially its rehabilitative aims, as a failure and advocating punitive policies. According to OJJDP, between 1992 and 1997, 47 states and the District of Columbia enacted punitive juvenile-justice legislation (Snyder & Sickmund, 1999). Policy changes to "get tough on crime" generally and to attempt to ensure that youth received "adult time for adult crime" occurred using several legislative and programmatic strategies.

First, law-enforcement efforts began to focus their "get tough" efforts on gang suppression through intensive, military-type sweep efforts. Operation Hammer in Los Angeles was the most well-known effort, resulting in 1,450 arrests in one weekend, so many that a temporary booking station at the University of Southern California football stadium was required. Such efforts relied on the deterrent effect of arrests on would-be offenders to arguable effect. Other efforts included saturation patrols, special police tactical units, and intensified surveillance (Krisberg, 2005).

Second, many states passed statutes to make judicial transfer of youth to the adult criminal justice system possible at lower ages, sometimes 14 years and younger. Some states required judges to hold hearings to determine whether a juvenile could benefit from the rehabilitative programs offered by the juvenile system or would be better suited to adult court. Burdens of proof began to shift in these hearings, increasingly requiring the defense to prove that a child should be allowed to stay in the juvenile-justice system (Krisberg, 2005).

Third, new automatic transfer statues took judicial discretion out of the equation, making transfer to the adult system mandatory for certain categories of crime. By 1994, the new automatic transfer laws increased the number of juveniles sent to the adult criminal justice system by 73% over the rate of judicial transfers in 1986 (Sellers & Arrigo, 2009), more than 250,000 youth per year by most estimates (Scott & Steinburg, 2008). Enhancements for drug-, gang-, and weapons-related offenses also aimed to get tough on youth crime. Both the automatic transfer statutes and the enhancements gave greater discretion to prosecutors, whose tough-on-crime reputation appealed to conservative policy makers more than juvenile court judges, who were seen as too rehabilitation-oriented.

Finally, new stringent treatment methods, like boot camps, aimed at holding youth accountable for offenses, flourished across the nation. These programs were offered by government agencies as well as by private, nonprofit and for profit entities. The latter two program types regularly served the juvenile-justice system through contractual agreements, but they also served middle-class parents seeking to end the problematic behaviors of their own teens. Although these programs still exist, their popularity has waned, in part because of the lack of program effectiveness shown by recidivism research (Greenwood, 1996; Henggeler & Schoenwald, 2011) and in part because of a series of youth deaths that resulted from program participation (Krisberg,

2005).

In addition to boot camps, privatization affected the juvenile-justice system during this time period. Private entities increasingly contracted with government to provide rehabilitative (both residential and community-based programs) and detention services. Although not necessarily a punitive policy method, many find the rise of private prisons to have fueled the current era of mass incarceration in the U.S. (see American Civil Liberties Union, 2011). The relationship of privatization to the juvenile-justice system is complex. As Press and Washburn (2002) observe, in the juvenile-justice field, "it was the government's failure to provide adequate care that paved the way for privatization" (p. 39). Examples of private juvenile secure facilities exist. However, in Utah, privatization affected urban detention facilities and contract providers for treatment services (both for profit and nonprofit). It did not involve secure care facilities which have consistently been provided by state government.

Utah's "Adult crime, adult time": Policy Change

What happened in Utah during this legal reform effort paralleled the rest of the nation, but notable attempts at moderation could still be viewed. A timeline (see Figure 1) shows Utah's policy initiatives on right side, with major changes that occurred nationally (or outside of Utah) on the left for comparison purposes.

In 1993, Governor Michael O. Leavitt convened an emergency session of the state legislature to address the issue of youth crime. Growing public fear around gang violence served as a catalyst for the emergency session. In late 1992, two highly-publicized gang shootings occurred in public settings in Salt Lake City. The problem of

FIGURE 1

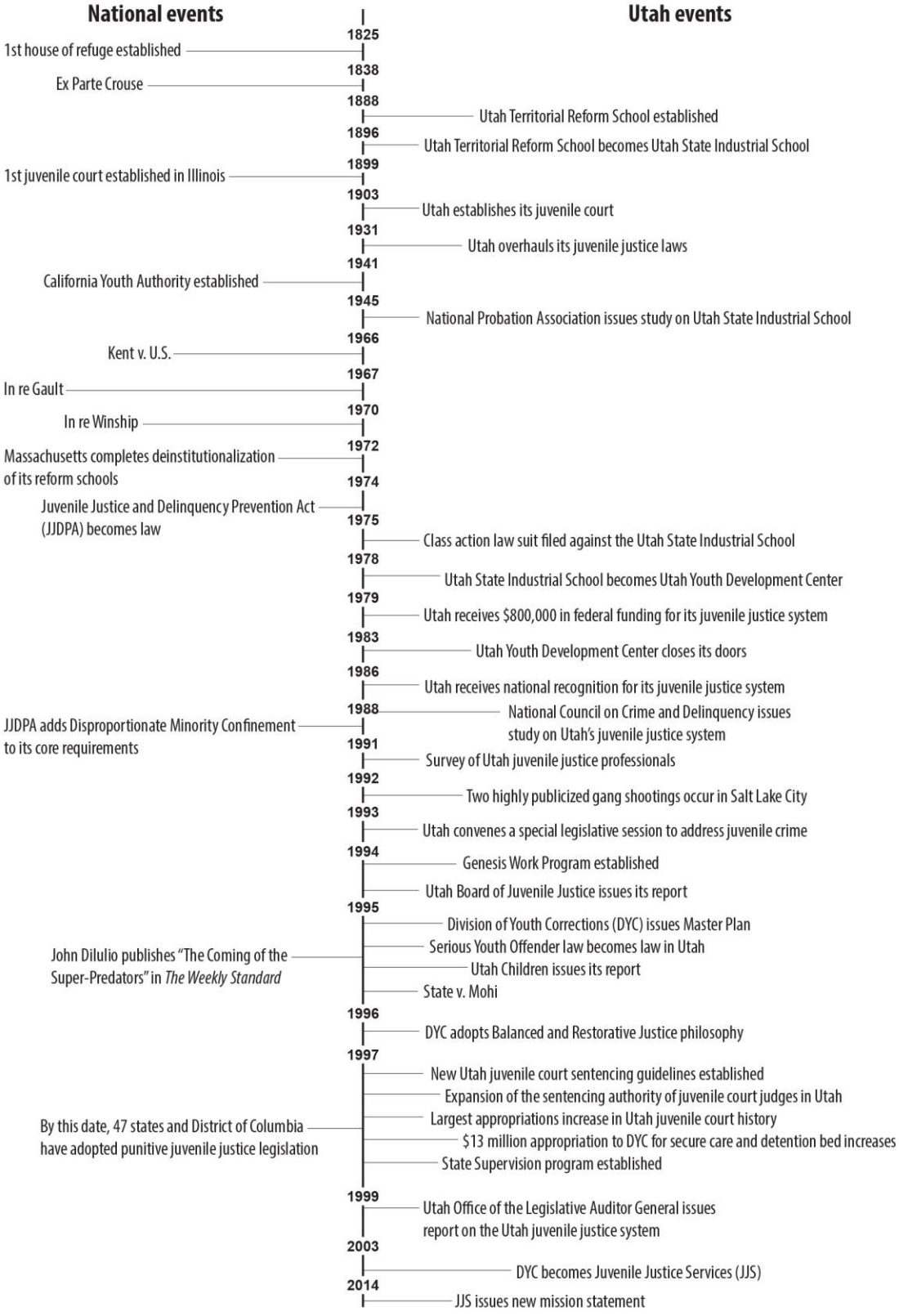

Figure 1. Policy History Timeline

gang violence had been increasing in Utah.[8] Together with local perceptions that youth could commit "dozens of felonies" before facing serious consequences (Semerad, 1992), public concern about unchecked youth crime was high.[9] A local news article observed that "the [legislative] session featured a deep emotional split between people favoring a prevention and social approach to gang problems and those advocating a more 'get tough' attitude" (as cited in Utah Children, 1995). The session resulted in the strengthening of laws penalizing youth violence, the addition of 10 additional probation officers for the juvenile court, a new work program for DYC, and $100,000 in funds for the Utah Commission on Criminal and Juvenile Justice for gang suppression grants. In December 1993, a Utah Supreme Court case was filed that challenged the direct-file efforts to try one of those two gang-shooting cases in adult court. *State v. Mohi*, brought more attention to the issue of treating juveniles as adults, threatening to remove one avenue toward adult court for serious juvenile offenders. In fact, the direct-file statute used in *Mohi* was ultimately ruled unconstitutional (901 P.2d 991 (1995)).

In 1995, Governor Leavitt's legislative priority was dubbed "adult crime, adult time" (Harrie, 1995a). That year, Utah passed its Serious Youth Offender (SYO) statute "to expedite transfer of violent and chronic juvenile offenders to the jurisdiction of the adult courts and correctional system" (Utah Division of Youth Corrections, 1999, p. 7). As stated in a Utah report to evaluate the impact of SYO in 2001, "the increase in juvenile crime, the rapid rise in violent gang activity, the overcrowding of the secure facilities, the governor's position on the need for more secure beds and a more expeditious way to deal with serious, violent juvenile offenders, and the *Mohi* case, all served as catalysts to the development" of SYO legislation (Van Vleet, Fowles, Lambert, & Rundquist, 2001). SYO

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[8] In 1989, law enforcement identified fewer than 700 gang members in Utah. By the end of 1996, that number would rise to 7,000 (Van Vleet et al., 2001). Still, only one-half of one percent of youth aged 10 to 17 in Salt Lake County were affiliated with gangs (598 youth in 1993) (Utah Board of Juvenile Justice, 1994).

was a two-part statute. First, it mandated automatic transfer to adult court for youths ages 16 and older who were charged with murder or aggravated murder or a felony-level offense after having been committed to a secure-care facility ((§78-3a-601). The second part of SYO provided for the transfer to adult court for juveniles ages 16 and older who were charged with 1 of 10 serious felony offenses, if a juvenile court judge determined there was probable cause for the offense (§78-3a-602). SYO had the effect of lowering the ages at which youth would be considered for transfer to adult court and specified transfer conditions.[10]

Two years later in 1997, three things occurred to strengthen Utah's crime fighting effort. First, the Utah Sentencing Commission promulgated new juvenile court sentencing guidelines. Characterized as "long awaited," the guidelines "aimed at putting hard-core teen criminals behind bars earlier and for longer terms. Youngsters beginning to stray [would] face state consequences before piling up a lengthy rap sheet" (Groutage et al., 1997), thereby addressing public concerns about the impunity with which youth could commit offenses. The Utah Legislature formalized the sentencing guidelines by requiring that any agency making a dispositional report to the Juvenile Court consider the guidelines (§78-3a-505 (2)). Second, two additional items passed legislative muster that year to extend the sentencing authority of juvenile court judges, giving them more control of sentencing placements and allowing them to place additional sanctions on youth for being found in contempt of court. Third, the Utah Legislature approved over $6 million in new funding to the juvenile courts to implement the new sentencing guidelines. The increase was the largest in the history of the juvenile court in Utah and allowed for the hiring of 60 new probation officers. DYC received a budget increase of

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[9] See also Jorgensen (1992).

[10] In 2013, the Utah Legislature amended SYO to give juvenile court judges the discretion of whether a youth should be bound over or not to the adult criminal courts,

$13 million to upgrade programs and for secure-facility construction (Utah State Courts, 1998). As a consequence, by 2000, DYC had 332 detention beds and 258 secure-care beds (Utah Division of Youth Corrections, 2000).

Utah's "Adult crime, adult time": Program Change

Programmatically, DYC began its Genesis Work Program in 1994, with its funding awarded during the 1993 special session of the Utah Legislature. Genesis was established as a governmental program and was not a move toward privatization. DYC described Genesis as a "work camp" that "emphasizes individual accountability through vigorous physical work and restitution to victims" (Utah Division of Youth Corrections, 1999, p. 16). Part of its history was as a YES, Youth Environmental Service, program which was a collaborative offering by the Department of Interior and OJJDP to rehabilitate adjudicated juvenile offenders and to prevent at-risk youth from entering the juvenile-justice system. According to an OJJDP report highlighting successful YES projects, Genesis Youth Center, as it came to be called, existed "in contrast to programs emphasizing traditional education and psychotherapy." Instead, Genesis emphasized "learning work ethics, values, self-discipline, and other life skills through participation in rigorous community service" (Office of Juvenile Justice and Delinquency Prevention, 1996, p. 17). By 2000, Genesis Work Camp had 90 beds. This work camp is the closest that DYC programs have come to the boot camp model. In rhetoric and practice, this work camp appears a more moderate program offering than the boot camp model that emerged in the late 1980s and early 1990s.

The new 1997 sentencing-guidelines agreements, mentioned earlier, established a new program called State Supervision. State Supervision was designed as an

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based on the best interest of the child and public safety (see: http://le.utah.gov/asp/passedbills/passedbills.asp?session=2013GS).

intermediate sanction for youth to fill a gap in programming between juvenile court probation and DYC community-based placements. It kept youths in their homes but provided intensified supervision and structured day-treatment. The sentencing guidelines also resulted in an agreement that DYC's observation and assessment program be used exclusively by the courts for diagnostic and evaluation purposes and not as a sanction. This element of the sentencing guidelines was expressly not punitive. Together with the work camp, the programmatic efforts appear more moderate and less punitive than the legislative efforts mentioned above.

Utah's "Adult crime, adult time": Voices of Moderation

If the new legislative enactments sent a more punitive message about the handling of juvenile crime in Utah and if the programmatic efforts were somewhat less so, there were other indications of a more moderate policy stance. In February 1994, the Utah Board of Juvenile Justice (UBJJ), an advisory board that was established as part of the state's JJDPA compliance process, published a report called, *Juvenile Crime in Utah: A Report to the Governor and Legislature*. Its stated purpose was to "identify critical issues in juvenile justice reform and offer broad recommendations" to be used in "legislative decision-making" (Utah Board of Juvenile Justice, 1994, p. 2). The report's letter of transmittal acknowledges the moral panic identified by Scott and Steinburg when Ronald N. Vance, the board's vice-chairperson writes,

> Media coverage suggests that the problem [of juvenile crime] is out of control, that the present system has failed, and that our approach should be to 'get tough' on juvenile offenders. Media scrutiny is generally a valuable process, but only if the public is given a reasonable amount of information and a fair overview of the problem. The purpose of this report is to remove the issue from a simplistic, polarized approach and to provide facts and information to those wishing to make informed decisions about juvenile justice. (p. 2)

The UBJJ report acknowledged the rapid juvenile population growth and recent rise in the violent crime rate. It advised added funding to keep up with the changes and

cited three particularly affected areas: 1) insufficient detention or secure beds, 2) inadequate juvenile court staff for timely processing of cases, and 3) the increase in chronic and violent nature of DYC's population served. In its advocacy for increasing the number of secure beds, it reminded the reader that the state's 1980 master plan for deinstitutionalizing its youth training center population called for 120 beds statewide at the then-current Utah population level, though it cautioned against using incarceration as the main policy solution due to its high cost and low effectiveness. Secure-care facilities, the report claimed, should only be used for the most serious and chronic and delinquent offenders.

The report advocated for an expansion of other community-based programming, citing a 1988 study by NCCD of Utah's juvenile-justice system that concluded that "recidivism data for [DYC] offenders strongly indicate that the imposition of appropriate community-based controls on highly active, serious and chronic juvenile offenders *does not compromise public protection*" (p. 5, quoting Austin, Joe, Krisberg, & Steele, 1990, emphasis added). However, it cautioned against wholesale adoption of boot camps because none had yet shown statistically significant recidivism reductions. Finally, the report warned that "if Utah wants to remain as a nationally recognized leader in juvenile justice reform, decisions need to be made by taking all these factors into consideration" (p. 3).

The moderation of the UBJJ report should be understood as the official stance of juvenile-justice system administrators. Although community representation on UBJJ exists, most members are stakeholders in the juvenile-justice system: DYC, the juvenile court, attorneys, law enforcement, and treatment providers. The call to rationality to stave off moral panic here came from the system itself.

In 1995, a nonprofit advocacy group called Utah Children, published a report that highlighted important needs and policy changes in Utah's juvenile-justice system. The

report resulted from a literature review, indepth interviews, observation of meetings, and three focus groups with "key decision-makers and implementers of juvenile-justice policy" in Utah (Utah Children, 1995, p. 18). Its recommendations covered four thematic areas. First, the report noted a philosophical divide among system participants focused on the treatment of juvenile offenders, those focused on punishment, and those focused on ensuring public safety. Second, the report observed several coordination problems: a) among juvenile court judges who had once been a unified voice in juvenile justice now appeared to disagree philosophically and practically, b) between DYC and the Division of Child and Family Services,[11] and c) the lack of involvement of peripheral players in juvenile-justice system coordination, such as prosecutors, the Utah State Bar, and local colleges and universities. Third, the report advocated for additional research on juvenile-justice matters along with an emphasis on data-informed decision-making. Finally, it suggested additional education both for administrators who tended to know little about the programs of other allied agencies and for the public who were misinformed about the nature of the population served. By placing emphasis on the challenges facing a growing system, the report foreshadowed the results of the 1999 legislative audit to come. It did not take a position on the philosophical debate, thereby sustaining a more moderate and unbiased tone from a community-based perspective.[12]

Philosophical Differences

A 1991 survey of DYC and juvenile court personnel documented the different policy preferences and philosophical approaches among the two groups (Norman & Burbidge, 1991). Administrators, judges, and line staff were included in the survey. DYC

[11] The Utah Division of Youth Corrections handles matters related to juvenile delinquency. The Utah Division of Child and Family Services handles matters related to juvenile dependency and neglect.

employees were more than twice as likely to agree that the system should use a "least restrictive and deinstitutionalization approach in dealing with juvenile offenders" than were juvenile court personnel. By contrast, the juvenile court respondents were more than twice as likely as DYC staff to want to use short-term commitments to detention as a sentencing alternative. More juvenile court respondents agreed that additional secure facility beds were needed and that sentences to secure care were too short. These differences between the perspectives of two main players in Utah's juvenile-justice system were later observed in the Utah Children report in 1995 and in the Utah Legislative Auditor's report in 1999. Those reports also noted variance in internal practices within the juvenile court and DYC, with the audit suggesting that the lack of guidelines and standardized procedures meant that judges, probation officers, and case workers made decisions based on their own personal philosophies which often conflicted with one another and resulted in a lack of coordination of services for youth.

In 1996, DYC adopted the Balanced and Restorative Justice model (BARJ) as its philosophical approach. The direct impetus for the change came from a 1995 DYC Master Plan process that suggested DYC change its mission to reflect a greater concern for public safety. The BARJ model places equal emphasis on offender accountability, offender competency development, and community protection. The BARJ model was supported and advocated by OJJDP and by 1996, 14 states, including Utah, had adopted the BARJ model (Freivalds, 1996). This shift does not appear to have fully resolved the philosophical differences, however, given the observations of the legislative audit 3 years later.

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[12] Neither the UBJJ report nor the Utah Children report made mention of privatization as a rationale for its recommendations.

Making Sense of Change: Policy's Impact on Practice

There is reason to think that the Utah system had been "resting on its laurels" after the acclaim of the mid-1980s and consequently had failed to continue to adapt to shifting conditions. DYC employees' strong, shared commitment to the least-restrictive and treatment-focused philosophy that had been the standard throughout deinstitutionalization may have contributed to reluctance to change even in the face of rising crime rates and community fear. But by 1995, the external pressure to change was obvious. After the completion of the 1995 session of the Utah Legislature, the session where the SYO statute was passed and where UBJJ members published their cautionary report, the director of DYC was quoted as saying, "We're of pretty good cheer in the division -- that the drought on services is over. We're not only playing catch-up from the previous 10 years of not paying attention, but also being aggressive in asserting the bed needs" (Harrie, 1995b).

Heightened levels of juvenile crime in Utah and the accompanying reform process led to a series of punitive policy reforms designed to increase the severity of sanctions, punish offenders, and attempt to deter future offenders. The move was away from interventionist versus diversionary goals and more toward the intentional punishment of youth offenders. Judicial transfer statues, like SYO, did divert some youth away from the juvenile-justice system entirely. Utah processed 503 SYO-qualifying offenders from the act's inception through December 1998. During this emphasis on punitive reform, there were voices of moderation in Utah. Despite the internal philosophical divisions about how to handle youth delinquency, moderation was mostly articulated from within a juvenile-justice system marked by unprecedentedly high caseloads. Growth and the inclination to punish juvenile offenders appeared to come primarily from outside of the system.

Analysts of the juvenile-justice system have long noted that cycles of juvenile

justice reform have alternated between rehabilitative phases and punitive phases. Bernard's (1992) historical analysis contends that these phases were repeated three times between 1820 and the early 1970s. Jenson and Howard (1995) claim that the deinstitutionalization movement and the JJDPA in 1974 promoted a focus on rehabilitation through its promotion of the least restrictive, appropriate, and community-based treatment programs. On this view, the 1990s return to punitive policies then occurred as outlined above, completing the cycle once again.

However, a number of studies show that despite the pressures to become more punitive in the 1990s, some practices of the juvenile-justice system actually changed very little. Merlo and Benekos (2010) show that several indicators of juvenile-justice policy with particular relevance to the juvenile court, including juvenile-probation dispositions, the waiver of youth to adult court, and out-of-home placement dispositions, all rose during the 1990s with the rise in crime. The proportion of placements and waivers remained remarkably stable from 1980 to 2005 however. They conclude that although punitive measures transferred some youth from the juvenile-justice system to the adult court, the juvenile-justice system overall has "maintained a measured response" over the years. Greenwood (2006) acknowledges some "mission-creep" in the juvenile courts due to sentencing guidelines and mandatory sentences, yet concludes that "the major story in juvenile justice is continuity rather than change, and consistency in mission and programmatic preferences" (p. 184). With a slightly different take on the matter, Miller (1998), who was the architect and leader of the Massachusetts deinstitutionalization plan, claims that punitive and rehabilitative rhetoric is just that: rhetoric. The juvenile-justice system, according to Miller, has always been punitive in practice.

Between 1986 and 1999, Utah's juvenile-justice system went from being nationally acclaimed to under fire. And yet, if criminologists and other juvenile-justice system analysts are to be believed, less may have actually changed than this narrative of

decline implies. Specifically, the new punitive measures may not have actually altered local practices as much as one might expect. In a system like the juvenile-justice system, what could provide such continuity in the midst of external pressures to change? To address this question, consider the youth who were being served by DYC and the juvenile-justice system more generally *during* the 1990s: those who were *already* in a long-term secure setting receiving services while punitive policies were being debated and passed by lawmakers. From this perspective, it may be easier to see how continuity provided day-after-day to individual youth by line workers in a facility throughout the period in question might provide a stabilizing influence to a system pressured to change. The lived experiences of youth and staff may also provide an explanation for resistance to change. Perhaps too, if system leaders registered a voice of moderation in the UBJJ report, we should not be surprised to consider that implementation may not have had the same vigor that the policy's passage received in the state legislature. What happened here was that the pressure required to create change on a rhetorical level, that is, on the level of policy change was somewhat different from what is needed to create change on the level of practice.

Utah Division of Youth Corrections Since 1999: An Update

Since 1999, DYC has continued to evolve along with the external conditions in which it functions. The fieldwork for this dissertation was conducted during 2010 and 2011 so the update provided here provides background information for what follows in upcoming chapters.

At a national and state level, the crime rate's overall trend has been one of decline. In Utah, since 2000, the violent and property crime rates among juveniles have dropped dramatically, with the level of violent crime per 100,000 people in 2012 at less than half the rate in 2000. The rate of juvenile property crime has dropped by almost

half (Puzzancera & Kang, 2014). Since 2003, the number of youths aged 10 to 17 in Utah has been increasing once again. As occurred in the 1990s, instead of being associated with increases in crime, larger populations of youth have correlated with lower crime rates.

In 2013, about 20% of Utah youth between 10 and 18 years old, roughly 75,000 juveniles, were charged with a misdemeanor-level or felony-level offense and referred the juvenile court. In FY 2014, the average daily number of youth in custody was 962, a number considerably lower than the 1,254 in 1999. There were 202 secure-care beds, with an average nightly bed count of 144.5. The severity of the delinquency histories of youth in custody has remained stable or even declined over the past 10 years. Across all programs in DYC, minorities continue to be overrepresented in comparison to their presence in the population of youth (Utah Division of Juvenile Justice Services, 2014).

A series of three directors over the last 15 years brought different visions and priorities to the Division's work. In 2003, the Utah Legislature changed DYC's name to the Division of Juvenile Justice Services (JJS) because it "more accurately reflects all the services provided by the Division" (Utah Division of Juvenile Justice Services, 2004, p. 1). Tight budget years and legislative priorities reduced or closed some programs. Early intervention programs were added and subsequently decreased in the last 15 years despite JJS's efforts to keep them fully funded. The Division's annual budget in FY2014 was $92,959,100, compared to $72,230,157 in FY1999, with 16.8% of the budget spent on secure-care facilities. Adjusted for inflation, the 2014 budget represents a $10,325,000 decrease. Significant moves have been made across Utah's juvenile-justice system to update data systems, improve data reporting, and use electronic records.

A gradual move to evidence-based practices (EBP) in the provision of delinquency services to youth has occurred since about 2000. JJS has paid increasing attention to incorporating particular practices with the weight of social science research

behind them. For example, EBPs include standardized risk-assessment tools, checklists of features of effective programs, and curricula used for psychoeducational group work. Some of this move to EBPs may be attributable to the 1999 legislative audit findings that faulted the juvenile-justice system for insufficient assessments of youth and the lack of practical guidelines for judges and workers. Some of it is also related to the stubbornly high recidivism rates of the most serious youth offenders (in Utah and nationally). Finally, at a national level, a growing concern with EBPs in policy-making and in the justice system is also occurring.[13]

In its 2014 Annual Report, JJS announced its new mission statement: "to be a leader in the field of juvenile justice by changing youth lives, supporting families and keeping communities safe" (p. 1). Three things are notable in this new mission statement: 1) the desire to be a juvenile justice leader again, 2) the combination of interventionist and public safety aims, and 3) the absence of any focus on punishment. As the director elaborates, the agency mission "is in keeping with the immediate goal of any justice system – to ensure that our contact with youths contributes to the behavioral change process, and does not cause harm" (p. 1). The interventionist aim appears somewhat modified from the child saver era, less focused on "saving" and more focused on the "behavioral change process." The goal of not causing harm, reminiscent of the Hippocratic Oath, is significant in its recognition that system intervention runs the risk of harming youth. Harm can come in multiple ways: through institutionalization, where youth become so accustomed to life in the system's programs that they can no longer function well in society;[14] through physical or emotional harm suffered within programs;

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[13] See for example, Heinrich (2007), Mears and Bacon (2009), Sanderson (2004), and Wilson and Hoge (2012).

[14] Jerome Miller, father of Massachusetts' deinstitutionalization effort, tells the story of a young man who came crying to him on the day when he closed one of the reform schools, begging to be allowed to stay at the facility instead of being set free (Miller, 1998).

through the learning of antisocial habits through contact with more seriously delinquent youth (called deviant peer contagion, see Chapter 7); and through the deprivation of liberty during their important developmental years, beyond what was indicated by their offense history. Any JJS employee with decent tenure has seen examples of the first three, and many would admit the fourth as well.

A chastened version of *parens patriae* still guides the juvenile-justice system. It is a version of *parens patriae* that no longer uncritically assumes that the state will do better than the family of origin (and other primary socialization forces, such as church and school) from which the youth are often taken. In fact, as seen above, this version of *parens patriate* sometimes acknowledges the possibility of doing harm rather than good. And as the history of juvenile-justice institutions shows, in spite of the benevolent rhetoric, harm to youth was common, some might even say endemic. As it turns out, determining what is in the "best interest of the child" can be complicated stuff. JJS's secure-care facilities are today's juvenile-justice sites charged with the implementation of *parens patriae* for Utah's most seriously delinquent youth. In addition to the perennial struggle over the proper goals of juvenile justice, day-to-day practices in such places help determine how successful the state is in its efforts to parent.

* * *

"You gotta understand; I'm 'old school'. These kids need to be held accountable. If they want to change their lives, I'm here to help them. If they don't, that's on them."

~ JJS caseworker

Throughout the history of juvenile justice, the impact of policy on practice can be muted by of the day-to-day realities of institutional life. The punitive policy efforts of the 1990s may not have achieved their expected impact, in part, because of those daily realities. This policy history shows that institutional practices have repeatedly not lived

up to the policy statements upon which they were founded, as was the case in houses of refuge, the Utah Industrial School, and the CYA. Perhaps the easy answer is a move toward cynicism, but it is important to recognize that these are "total institutions" (Goffman, 1961), places where a formally administered life occurs cut off from the outside world. In such places, the usual assumptions about impact and outcomes may not hold. Furthermore, the issue is not simply that policy and practice are different. Rather, to adequately understand a total institution like secure care so that informed policy decisions are possible, we cannot rely on policy statements, discourse analysis or statistics alone. We must look to the interactions and lived experience of those involved in its daily administration.

Given these observations, if we consider now the above epigraph, where a JJS caseworker calls himself "old school," an interesting interpretive puzzle emerges. To what era does being "old school" harken back? What does it signify in terms of treatment philosophy? What alternate philosophy or philosophies exist to contrast with being "old school"? That is, what is the otherness that the identity of being "old school" implies (Connolly, 1991)? Is it a stable other, or is it more of a shifting target that transforms over time? How does being "old school" affect a worker's interactions with secure-care youth?

Piecing together the answer to this puzzle requires not only listening to workers and youth but also observing their interactions to understand treatment philosophies as enacted. A critical part of analyzing system change then is examining the everyday interactions between staff and youth in custody that "materialize" policy (Dubois, 2010). These interactions are quite distant from legislative policy debates or the actions of justice officials, and yet they show juvenile-justice policy as effectively constituted in the microinteractions of specific people at specific moments. At times, this "materialized" policy affects and is affected by policy's other expressions, such as those found in statute,

government reports, mission statements, or facility rules and regulations. Analytically, this transfer of formal policy expressions from "outside" to "inside" is never automatic and is *always* mediated by practice, the day-to-day interactions of staff and youth. This dissertation will showcase the policy significance of this mediation.

CHAPTER 3

INTERACTIONS, IDENTITY, AND THE POLITICS OF TREATMENT IN SECURE CARE

Weber's conception of bureaucracy has many critics even though its insights remain instructive. Among these criticisms is the charge that bureaucracy runs the risk of appearing monolithic when, in fact, there are many kinds of bureaucracy with varying goals and tasks that affect their processes and outcomes (Wilson, 1989). Even within a particular bureaucratic system, like the juvenile-justice system, there can be different types of bureaucracies.

The Utah Division of Juvenile Justice Services (JJS) provides a range of services to youth sent to it by the juvenile court. Early-intervention services are provided in the home or in after-school, community settings. Case-management services are provided by workers who assess risk, assign youth to a range of community-based services, and provide information to the juvenile court about youth compliance and treatment progress. JJS maintains secure-care facilities for youth sentenced to confinement until they are 21 years of age or released by the juvenile parole authority. Analogous to adult prison in some ways but different in others, these long-term, locked, residential settings serve as the "end of the line" of the juvenile-justice system, the system's "back end" designed for the most serious and violent youth offenders. After secure care, parole officers and other transition staff members track released youth and work to facilitate successful transition back to the community.

Although these diverse services are run by a single government agency (indeed,

by just one departmental division within the larger Utah Department of Human Services), many are functionally distinct from one another and require different structural mechanisms and operational techniques. Relying on James Q. Wilson's (1989) typology, the programs vary particularly in terms of the observability of their outputs. There is considerable variation in how workers in different JJS programs perform their day-to-day tasks. It may be the case, for example, that JJS's case-management services have significant things in common with social welfare-related programs (like vocational rehabilitation, WIC, or TANF), perhaps even more than they have in common with a secure-care setting. Not only are there different types of bureaucratic agencies, as in Wilson's view, but even within agencies, there is bureaucratic complexity that merits attention.

In this dissertation, I acknowledge bureaucratic complexity, as well as bureaucracy's thoroughgoing impact on the lives of citizens, by paying attention to the specific context of secure care as a total institution, rather than simply as part and parcel of what JJS, or the juvenile-justice system, does overall. As defined by Goffman (1961), a total institution is "a place of residence and work where a large number of like-situated individuals, cut off from the wider society for an appreciable period of time, together lead an enclosed, formally administered round of life" (p. xiii). Studying secure care as a total institution interrogates how this particular type of bureaucratic structure may affect policy implementation and the lives of citizens. In addition, this dissertation takes a close look at identities in secure care, particularly in terms of the interactions between staff and youth. Examining identity, its operation and its formation, may further understanding of the consequences of bureaucratic actions in the secure-care setting. Those consequences, I argue, affect not just the youth receiving services from JJS but also the staff, juvenile-justice policy, and, even more broadly, citizens and our conceptions of citizenship.

In this chapter, I look first at literature addressing how government bureaucracy affects the lives of citizens, particularly the street-level bureaucracy literature. Next, I provide an overview of criminology and the juvenile-justice literatures for their theoretical insights and consider the role the literature may play in juvenile-justice policy development. Together, these literatures illuminate the context of secure care as the bureaucratic setting in which juvenile-justice policy is delivered. I move then to consider three substantive areas that inform my project's examination of identities in secure care. First, I review research that focuses on the developmentally critical task of adolescent identity formation. Next, I examine literature on identity more generally for additional insights that can provide conceptual leverage for my examination. Finally, I examine the procedural-justice literature especially in terms of its relationship to identity and compliance.

Bureaucracy and Street-Level Impact

Implementation research considers the actions of bureaucracy in terms of the enactment of public-policy decisions. Pressman and Wildavsky (1973) examine the "complexity of joint action" by multiple players to bring a policy decision into operation, sometimes at considerable variation from how that policy was conceived by policy makers. Implementation research offers a "bottom-up" perspective to examine policy problems and the way government programs guide behavior "on the ground" (Sabatier, 1999). It often shows that the reaction of local stakeholders to macrolevel policies and other contextual factors "can completely dominate rules created at the top of the policy pyramid .... [such that] policy designers will be unable to control the process" (Matland, 1995, p. 148). On this view, attention to target populations and local service delivery is necessary for full understanding of the implementation of public policies, and some would add, of the problem definition as well (Schneider & Ingram, 1997). It is this view

of bureaucracy that Wilson (1989) advocates, and yet, perhaps surprisingly, not all "bottom up" views of bureaucracy take a close look at the human interactions that work to deliver public goods and services.

The street-level bureaucracy literature seeks to understand the role of government workers who implement the day-to-day aspects of government policies. These unelected government employees, who interact with citizens on a daily basis, influence how policy implementation occurs (Lipsky, 2010). According to Lipsky, partly as a way to manage the stress of an array of job difficulties, street-level bureaucrats rely on several coping mechanisms, including the reliance on stereotypes and prejudices in their interactions with citizen clients. One result of this coping process can be a gap between official policy objectives and their implementation (Dubois, 2010; Lipsky, 2010). Whether control of street-level bureaucrats by policymakers is possible, or even desirable, constitutes a consistent theme among scholars (Denhardt & Crothers, 2007; Elmore, 1979; Sabatier, 1999). The street-level bureaucracy literature poses a range of concerns about these bureaucrats, including how their views on social justice issues affect their work (Kelly, 1994); whether they spend more of their time working, shirking or engaging in sabotage (Brehm & Gates, 1997); and how welfare policy designs construct welfare system clients through direct personal encounters (Soss, 2005).

Much of the research deals with social welfare systems (Jewell, 2007; Seltzer, Kulberg, Oleson, & Roslile, 2001). Meyers, Glasser, and MacDonald (1998) examine street-level workers' implementation of welfare reform efforts in California in the early 1990s. Similarly, Wastell, White, Broadhurst, Peckover, and Pithouse (2010) examine social workers in the British child-welfare system for the ways in which implementation of a stricter managerial model of control affected the services social workers provided. These welfare system studies demonstrate important effects that street-level bureaucrats have on policy implementation and reform success. They also show considerable effect

on citizen clients. An open question remains as to how the total institution context of secure care and the interactions between workers and staff in that setting affect the applicability of the welfare research insights.

In a work that considers human-services settings beyond the welfare-system literature,[15] Maynard-Moody and Musheno (2003) examine street-level bureaucrats' work for how it represents the state-agent role of law abidance compared to the citizen-agent's role of cultural abidance. They find that street-level work is as much about the forming and enforcing of identities as it is about delivering government services and implementing policy. Street-level bureaucrats are thus "citizen-agents who help produce and maintain society's normative as much as legal order" (p. 24). Through their narrative analysis of street-level worker stories, the authors conclude that workers make "pragmatic" decisions about "what works" for particular clients within an environment they find to be rule-saturated but not rule-bound. They contrast these "realist" street-level decisions with the "idealism" of administrators and politicians who design public policy.

Secure-care facility workers are human-services professionals, similar in many ways to those studied by Maynard-Moody and Musheno (2003). They differ importantly however in that the bureaucratic encounters Maynard-Moody and Musheno describe are the more episodic ones of case management, middle-school classrooms, and law-enforcement incident responses rather than the protracted and daily encounters characteristic of total institutions like secure care. The context difference may have additional implications for the ways in which secure-care facility workers execute normative functions related to identity formation and enforcement that Maynard-Moody and Musheno observe as part of bureaucratic decision-making.

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[15] Maynard-Moody and Musheno (2003) study law enforcement officers, vocational rehabilitation counselors, and middle school teachers.

Emphasizing this normative element of street-level work, Dubois' (2010) critical policy ethnography about the French welfare system demonstrates how interactions between workers and clients are sites of identity construction where clients' status and identity are defined by the state and where they undergo a process of socialization. This process, according to Dubois, is not an ideal type but rather a complex system of social domination that coerces as well as socializes positively. Dubois discusses how organizational structures allow workers to define their role with clients with personal, professional, and policy consequences. Comparing his own work to Maynard-Moody and Musheno's, Dubois characterizes theirs as "a mostly internal interpretative approach" (p. xv). He cites the need to look also at social backgrounds and biographies because, "the individuals' social background is not a complementary piece of information: it is one of the core variables of the analysis" (p. xvi). Dubois aims to show welfare bureaucracies as embedded in their social environment at the same time as he elucidates "the growing importance of state bureaucracies in the process of personal identification" (p. 13).

Dubois' insightful work shifts the focus of public policy away from policy makers and administrators toward the way routine interactions shape the implementation and experience of policy. He demonstrates many of the policy and citizenship insights related to identity that this dissertation seeks to examine. Here again the context differs from secure care. Another difference is Dubois spends little time contemplating recommendations for French welfare policy, while my concluding recommendations seek to address juvenile-justice policy.

Although no street-level bureaucracy literature looks directly at the secure-care setting, justice-system related research examines how street-level police decisions work to constitute citizen identities (Oberweis & Musheno, 1999, 2001); how street-level juvenile-justice-system workers like judges and court personnel have used specialty

courts to create a new focus on rehabilitation, even in the face of more punitive top-down public policies (Filler & Smith, 2006); and, perhaps similarly, how the policy reform efforts of juvenile justice can be thwarted at the implementation level by street-level workers and their local processes (Gebo, Stracuzzi, & Hurst, 2006). Other juvenile-justice research examines how the discretion of street-level juvenile-justice workers might be effectively controlled (Maupin, 1993) and how social workers who provide presentence reports to the juvenile court cope with professional uncertainty in ways that affect the content of the reports and sometimes undermine public policy goals (Halliday, Burns, Hutton, McNeil, & Tata, 2009). These studies suggest that street-level bureaucracy research is relevant to the juvenile-justice-system context and potentially to secure care in particular.

Criminology: From Penal Rationalities to Local Influences

Michel Foucault's *Discipline and Punish* (1979) hit criminology like a "meteorite" (Foucault, 1994, p. 383), challenging leading criminological paradigms about the purpose of punishment, exposing the social ramifications of surveillance, and demonstrating a distinctive modern penal rationality with which criminologists increasingly had to reckon. But perhaps even more influential on criminology was Foucault's coining of the term "governmentality" (1994) and the rich theoretical framework that grew up around it (Garland, 1997; Miller, 1987; Miller & Rose, 2008). With its focus on risk and actuarial models, as well as on nonstate actors in the art of government, governmentality research has prompted a large number of perspectives on contemporary penal policy and practice (see, for example Bosworth, 2007; Carrabine, 2000; Gray, 2009).

In particular, Feeley and Simon (1992) make use of a governmentality perspective to articulate a new discursive framework operating in contemporary penal

systems – a "new penology" – one that focuses more on aggregates than the individual offender through emphasis on actuarial language to assess risk, new system goals related to control and efficiency, and techniques that aim to rank and classify offenders. Surveillance, classification, and control are the new penal goals, and Feeley and Simon see this new rationality as having pervaded the justice system. The "old penology," by contrast, stressed the individual offender as the relevant unit of analysis, the determination of guilt and responsibility as a primary task, and the punishment, and sometimes the rehabilitation, of the individual criminal. Feeley and Simon cite correctional innovations of the late 1980s, such as boot camps and offender drug treatment programs, as an example of the new penologyand suggest that "despite the lingering language of rehabilitation and reintegration, the programs generated under the new penology can best be understood in terms of managing costs and controlling dangerous populations rather than social or personal transformation" (p. 465).

Many scholars have subjected the new penology thesis to scrutiny. Theoretical works note unevenness in the new penology's application to today's penal environment, referring sometimes to this unevenness as the "'braided' nature of modern liberal punishment" (Hutchinson, 2006, p. 443). Others criticize the new penology for its insufficient emphasis on human agency and attention to the impacts of managerialism (Cheliotis, 2006a; 2006b) or point to its lack of attention to microsociological accounts to understand the contemporary environment (Carrabine, 2000).

Empirical research, often with a sociological cast, has attempted to assess the new penology's hold in a variety of criminal justice contexts. Lynch (2000, 2002) examines new and old penologies in the adult parole context. Vuolo and Kruttschnitt (2008) use regression analysis and interview data in a women's prison to find that criminal-justice workers are the critical players in determining whether new correctional innovations are realized, even in the face of new penal policies consistent with the new

penology. Kruttschnitt et al. (2000) discuss women in prison settings, specifically contrasting elements of the new and old penologies' relevance. By comparing two prisons with different penal cultures and models of management, they find considerable impact of the prison environment, including how staff wield power and their practices of control. Much of this empirical work thus claims incomplete or uneven transformation of penal policy, often finding that the influence of front-line workers contribute to the unevenness. The unevenness has similarities to the "gap" between official policies and their implementation, as found in the implementation and street-level bureaucracy literatures. McNeill, Burns, Halliday, Hutton, and Tata (2009) call this the "governmentality gap" and suggest that rather than being a counter-example to accounts of penal transformation, there is a complementary need to focus on ethnographic and other empirical analyses of penal settings in order to understand better penal cultures and the change process of worker practices.

Feeley and Simon articulated the new penology with little distinction drawn between the adult and juvenile-justice systems. The above research focuses on the adult system. A growing body of work, using a variety of methods, assesses the relevance of the new penology thesis to the juvenile-justice system (Kempf-Leonard & Peterson, 2000), often as it considers additional questions.

Cox's (2011) ethnographic study of secure-care facilities examines discourses of self-control used to govern youth and the ways in which youth express agency and manage complex emotional environments as they complete program requirements. Cox finds that youth are forced to adopt an "institutional persona of a changed self" and that the liberation of youth (presumptively) sought by behavioral change practices may more likely result in their domination. The absence of practical opportunities in secure care to exercise self-discipline and self-control in realistic settings may contribute to the domination effect.

Using interviews, Halsey (2006; 2007) examines young men in Australian secure-care settings for their lived experiences of incarceration and its effect on their return to community life and measures of recidivism. Halsey finds that the lived experience of secure care – particularly the orientations toward self shaped by interactions with staff, the deficit model of offending that guides the program, and the dominant conception of subjectivity – contributes to the rather high levels of return to secure care after conditional release. Halsey and Cox both address the discontinuities between the intentions of the secure-care environment and its common effects. They discuss the sometimes alienating and contradictory experiences, especially in terms of the reaction of youth to the staff.

McAra and McVie (2012) use a mixed method design that they term *critical positivism* to examine how formal (schools, police, courts) and informal (families, neighborhoods) regulatory orders work to fashion youth identities. Through a secondary labelling process that ascribes identities onto youth by members of formal and informal institutions, youth offenders become objects of regulation and experience expulsion, marginalization, and sanctioning by authorities and sometimes by their peers. They find that "identity negotiation lies at the heart of impulses to offend, it shapes the contexts and situational dynamics in which offending takes place and it forms a key dimension of institutional encounters and cross-encounters which impel variant conviction and offending pathways" (p. 348).

In her ethnographic study of juvenile correctional facilities, Inderbitzin (2007a) examines the impact of staff on the normalization of youth's aspirations, particularly in relation to their achievement of wealth and masculine prestige. She also finds the old penology's focus on rehabilitation alive and well in interactions between staff and youth. Elsewhere, Inderbitzen (2007b) examines the dual role that staff in juvenile correctional facilities play: custody's more punitive, security-oriented responsibilities and treatment's

rehabilitative aims. In fact, according to Inderbitzin, workers face particular challenges because they are tasked to perform multiple roles, including counselor, corrections officer, coach, and surrogate parent. In contrast to the other studies mentioned, Inderbitzin views the staff as working, sometimes effectively, to help the boys adjust their understandings of themselves and their world around them in order to transition back to the community.

Other works in criminology have implications for the juvenile-justice system. Garland (2001), for example, examines the trend of mass imprisonment that, invoking Max Weber, he predicts may be the next "iron cage." The causes Garland examines include the especially punitive response to crime, including juvenile crime, which surfaced in the 1990s (see Chapter 2). Penal policy, as Garland acknowledges, is not simply about a response to crime but also part of a larger response to governing the poor. The super-predator rhetoric, advocated by John DiIulio (1995), may be viewed as evidence of this punitive fervor, especially directed toward the young. Current conversations in the United States about the "school-to-prison pipeline" (S.J. Quinney College of Law, 2014) provides evidence that supports the iron cage thesis and identifies the juvenile-justice system's contribution to this phenomenon.

An ethnographic study of Canadian nonsecure juvenile-justice programs looks at the local culture of punishment and finds that different rationalities (neoliberal and neoconservative) may exist within the context of a single penalty and that the discursive practices of program staff affect how youth punishment is locally experienced and interpreted (Gray & Salole, 2006). This study is particularly relevant to this dissertation insofar as it observes that local practices have significant effects on the experience of policy. It also recognizes the volatile and contradictory nature of punishment (O'Malley, 1999). Like other work cited above, Gray and Salole's study works to moderate the tenor of governmentality research particularly concerning the reach of political rationalities. If

Foucault is right that subjectification relies on free subjects and their active participation in the process, we might expect not just that (abstract) discursive rationalities affect us but that (concrete) local people do as well. Indeed, Foucault (1979) observes that "throughout the penal procedure and the implementation of sentence there swarms a whole series of subsidiary authorities . . . [and] all fragment the legal power to punish" (p. 21).

Overall, these studies demonstrate rising scholarly concern with the experience and effects of secure care on its youthful charges. What these studies leave unaddressed is a particularly relevant question posed by the govermentality perspective. Given its historical emphasis on treatment and rehabilitation, the juvenile-justice system raises questions about the relationship between the governing of the self and the governing of the state. In other words, the practices of governing others links to those of governing the self in perhaps a more obvious way in secure care where staff and youth interact to produce juvenile-justice outcomes that attempt to rehabilitate youthful offenders.

Juvenile Justice: Moving Toward Evidence

The American juvenile-justice literature, perhaps in contrast to the general criminology literature, focuses largely on evaluating juvenile-justice interventions. Scholars study impact, assess approaches, and measure recidivism, increasingly using quantitative techniques (Calley, 2012; Jenson, 1998; Olson-Raymer, 1983; Van Vleet et al., 2001; Wilson & Hoge, 2013). More synthetic research seeks to chart the history of juvenile justice (Krisberg, 2005; Shelden, 2001; Zimring, 2005) and to develop new paths to reform the system (Greenwood, 2006; Schwartz, 1989; Scott & Steinburg, 2008a, 2008b). Often this literature has strong links to practice (see, for example, Miller, 1998; Schneider, 2009; Van Vleet et al., 1987).

One relevant focus of current juvenile-justice research (and criminal-justice

research more generally) is the development of evidence-based practices (EBP). The concern may be viewed as the search for social-science research evidence that supports the *effectiveness* of particular interventions (i.e., programs, treatment modalities, service delivery practices). It places weight on recidivism rates and the generalizability of experimental and quasi-experimental design-based research. Colloquially referred to as the "what works" principles of juvenile justice, the move to EBP relies on the influence of academic fields such as social work, psychology, and criminology. As Heneggler and Schoenwald (2011) point out, many contemporary juvenile-justice practices (e.g., probation, juvenile transfer laws, surveillance efforts, residential treatment) show little if any empirical support for measurable effectiveness. Indeed, only about 5% of all juvenile offenders receive treatment modalities with proven effectiveness. The EBP literature assesses experimental programming or seeks to provide implementation examples of EBP initiatives. Program evaluations measure the fidelity to EBPs. For example, Latessa (2012) has developed a Correctional Program Checklist by which programs may be evaluated according to "known principles of intervention," measuring issues such as leadership qualifications, staff qualifications, the use of quality assurance measures, and treatment characteristics (p. 68). This checklist has been used to evaluate a variety of correctional programs (see, for example, Utah Criminal Justice Center, 2013) and has been modified for specific types of correctional programs, such as drug courts (Blair, Sullivan, Lux, Thielo, & Gormsen, 2014).

A recent study by the National Research Council (NRC) (2013) exemplifies these emerging juvenile-justice research trends. The study suggests a new approach to juvenile justice, focused on adolescent development and the "what works" evidence. Written by a committee of advisors composed of juvenile-justice practitioners and academics, this monograph assesses the research surrounding this "distinct, yet transient, period of development between childhood and adulthood" as well as the

historical context of juvenile justice, to provide a framework for reform (p. 89). The authors describe adolescence as characterized by "poor self-control, increased risk taking, emotional dysregulation, and susceptibility to peer and environmental influences" (p. 116) due to brain immaturity. They find the quickly developing, but admittedly emergent, literature on adolescent brain development "plausible and informative" enough to justify a "neurobiological grounding for the well-documented behavioral differences between adolescents and adults, and [further] . . . to provide a sound basis for juvenile-justice policy making and for consideration in developing juvenile justice interventions" (p. 117; but see Maroney, 2009).

This conclusion by a committee of academics and practitioners appears to have two implicit aims. First, it seeks solid footing to justify the continuation of a separate system of justice for juveniles. Since the 1990s, questions about the need for a separate justice system for adults and juveniles have surfaced episodically, with advocates for a single system often opposed to the "outmoded and naïve rehabilitation model of the traditional juvenile court" (p. 136; see also Scott & Steinburg, 2008b). The NRC is quick to point out that its model entails a more "sophisticated understanding" of adolescence than the "idealized vision of young offenders as innocent children whose parents had failed them and whose offending conduct could be redirected by the benevolent state" (pp. 136-137). The second aim of the study's conclusion is the desire to move the system toward EBPs, particularly those consistent with adolescent development.

Although much of the NRC's approach seems well considered and politically astute, a few aspects are worth questioning. First, there are likely implications for the rising number of experts associated with juvenile-justice service delivery. Over the years, an increasing number of social workers, clinicians, attorneys, and other experts have begun to work in juvenile justice. Although some may perceive professionalization of the field positively, offering increasing understanding of adolescence, technical and

therapeutic skills to delinquency treatment, there are also downsides. As Jerome Miller (1998), architect of the 1970s Massachusetts experiment to deinstitutionalize its youthful offenders, concludes, the "brutalization" of youth is often justified by staff with credentials and professional knowledge, including things like isolation cells to "set limits" and other ways to avoid dealing with the emotionally-difficult problems presented by juvenile delinquents. He writes, "I am convinced that the bars to substantive change in these systems grow exponentially with the number of human services professionals involved" (p. x). The rise of EBPs brings a host of other experts to the field: academic social workers, psychologists, and criminologists. We might be wise to be wary of the disciplinary power of expertise used to manage populations of juvenile delinquents.

Second, the focused reliance on EBPs appears well considered on its face: The juvenile-justice system should use tax dollars efficiently by relying on evidence from research to guide its interventions. However, the "gold standard" of experimental research may prove to insert itself into the quality of services provided in unexpected ways. For instance, fidelity in implementation is critical to achieve the generalizable results demonstrated in controlled trials. Thus, the NRC (2013) writes, "effective evidence-based practices cannot be achieved if service providers alter program characteristics in a misguided effort to make them more appropriate to the clients, culture, or resources of their communities" (p.6) and suggest that program fidelity should receive increased attention. Even though the report later qualifies its emphasis on name-brand EBP products, the rather single-minded tactic to attain fidelity presents challenges to programs, including the reaction of existing staff to the change process, the strengths and experience of existing staff, and the specificity of the clients served. As Matland (1995) observes about experimental implementation efforts, "programs demanding conformity are likely to meet with superficial compliance efforts from local

implementers. In addition, demanding uniformity when processes are poorly understood robs us of vital information and limits the street-level bureaucrats' use of their knowledge as a resource" (p. 167). Although the introduction of EBPs ostensibly means that policy ambiguity is lessening, in the field where street-level workers have sometimes used particular approaches for years, new practices may present a host of ambiguity challenges. Also, as Lipsky (2010) writes, insistence on the "gold standard" of experimental design "radiates the message that other ways of knowing and deciding are weak and illegitimate" (p. 220).

Finally, the desire to modify EBPs in order to meet the specificity of client needs and cultural backgrounds may spring from important, even laudable, motivations of staff that are likely more productively encouraged and addressed rather than squelched in the dogged pursuit of fidelity. Halsey (2006) finds important (and dangerous) truth effects that follow from particular penal rationalities, one of which is a view of juvenile justice that promotes and seeks common generalities of youth crime rather than specificities. By specificities, Halsey means the ways in which "life is performed and reformed in relation to events," observing that in his ethnographic study "each and every participant presented as a multiplicity and not a unity ([they were] bodies marked by countless events whose impacts resist precise quantification and even articulation)") (p. 170). In other words, in the interactions between youth and staff, we might rather countenance a dominant rationality about fitting services to presenting youth needs rather than fidelity to experimental findings even in the pursuit of generalizable, normally distributed results.

In the secure care setting this dissertation analyzes, it is the reaction of staff to programming and their consequent interactions with youth that I examine for effects on youth and the services provided. Although I have no quibble with a juvenile-justice policy that acknowledges the developmental realities faced by adolescents, or with the

incorporation of better, more effective programs, it is their implementation and its consequences for youth and staff that concern me.

Adolescent Development and Identity Formation

Along with the physiological task of neurobiological development, adolescents face a range of other cognitive, behavioral, and psychological developmental tasks. Some of these tasks include developing self-control, becoming less sensitive to external influences like peer pressure, acquiring a future orientation and the ability to forecast long-term consequences (National Research Council [NRC], 2013). Another critical task of adolescent development is the formation of identity.

Erik Erikson, the noted psychologist, wrote that developing one's identity is the most important developmental task of adolescence. Identity is "a conscious sense of individual uniqueness . . . an unconscious striving for a continuity of experience, and … as a solidarity with a group's ideals" (Erikson as cited in Garbarino, 1982, p. 111). Garbarino (1982) says that "by identity we mean the person's sense of self, the individual's way of thinking about his or her relation to the rest of the world" (p. 111). Identity formation then is a process of self-definition, with the peer group serving as a reference group for the defining of values and behaviors. Writing together in the 1950s, Erikson and his son, sociologist Kai Erikson, (1957) describe the identity formation process this way:

> It often takes considerable time – well into the early twenties – before an adolescent can make a workable whole out of all that became distinctive of him in the years of childhood. For what once was play and pretense, in adolescence becomes rehearsal with different ways of living until the main life performance, namely the individual's lasting identity in the adult world, is established. (p. 16)

Youth identity is more than an individual project. It is a broader cultural product, one sometimes forced and reinforced by the socializing institutions of society,

most notably families, churches, and schools. Youth identity is further subject to considerable political debate, often over the use of the law to produce either cultural orthodoxy or to "prevent" our children from being socialized to certain "wrong" identities (Karst, 2003). In other words, it is not just individual youth (delinquent or otherwise) that have a stake in their developmental task of identity formation but the rest of us as well.

Interestingly, Erikson and Erikson (1957), writing over half a century ago, present a view of juvenile delinquency surprisingly similar to that of the adolescent development framework for juvenile-justice reform espoused by the NRC (see also Steinburg & Scott, 2003). Insofar as their idea of how "a widespread adult attitude which inadvertently (and in spite of all that public agencies and individuals are doing to *prevent* delinquency) *confirms* a considerable number of faltering young people in the ways of criminality" (p. 16, emphasis in original) "makes" delinquents, they are consistent with the NRC's reform motivations to maintain a separate juvenile-justice system and to move the focus away from "containment, confinement and control" and toward system interventions that promote developmental maturity. On this view, criminal activity by adolescents is viewed as an often "predictable, and transient, feature of adolescence" (NRC, 2013, p. 137). The primary challenge is finding ways to hold youth accountable while providing positive social contexts in which they can practice developmental-maturity skills. Perhaps not surprisingly, both the NRC and Erikson and Erikson suggest that finding those developmentally-appropriate means will best be determined by the research of academic scholars.

Perspectives on Identity

There is more to the concept of identity than adolescent development. It is not as if once completed, identity remains static; nor is it the case that only a single type of

identity exists. Various definitions of identity stress socially-available roles (Stryker & Burke, 2000) or social-group identifications (Tajfel, 1982) or a set of values that inform the core or unique aspects of the self (Hitlin, 2003). Others contemplate the presence of multiple and diverse parts of a self (James, 1892) and the specific conceptualization of self-identity within the context of late modernity (Elliott & Gay, 2009; Giddens, 1991; Rajchman, 1995). Identity as performativity offers additional way of thinking about the expressive elements of identity, often in relations to gender (Butler, 2006; Snyder, 1999) but also stretching back to the work of Goffman (1963).

We commonly think of identity as the achievement of the self, undertaken as a project marked by its separateness from others. We have words like "individuality" and "personality" that stress the distinctiveness of this achievement and valorize the differences between us. Even the process of identifying and aligning with certain others serves as a way of differentiating ourselves from those who do not similarly identify themselves. The work of American thinkers like Emerson and Thoreau gives voice to this philosophical legacy which prizes uniqueness, originality and distrusts sociality and collectivities for their tendency to foster dependence and moral decay. Kateb builds on this tradition to forward a conception of identity as an individual project that must be safeguarded from the encroachments of governmental power (1992).

And yet social theorists from sociology, social psychology and psychology have long attended to the ways in which individual identity arises from the social (Mead, 1934), how identities depend upon socially structured and available roles (Burke, Owens, Serpe, & Thoits, 2003), how subjectivity derives from intersubjectivity (Giddens, 1991), and how the imprint of primary relationships shape our selves in this world (Bollas, 1995; Flax, 1993). Insofar as conceptions of identity involve the attributes, dispositions and qualities needed for citizenship in a political regime, identity concerns have occupied a significant place in the history of political thought reaching back to the ancients. The

deliberate attention of political theorists to education and the ways in which citizenship is cultivated and formed in a polity's members highlight the social relevance of identity. One way of thinking about the social conditions for individual identity is to consider juvenile-justice system efforts as the bringing of institutional pressure to bear on the identities of those youth who are deemed resistant to the many forms of socialization offered by liberal society. Ethnographic studies have shown, for example, that secure care and prisons work to fashion gendered selves as they also work to fashion responsible ones (Abrams, Anderson-Nathe, & Aguilar, 2008; McKim, 2008). Recent work in criminology (McAra & McVie, 2012; Millings, 2013) shows the criminal justice system as "an engine of identity production and influence" (Bradford, Murphy, & Jackson, 2014, p. 527).

Two particular conceptions of identity promise relevance for this study. A symbolic interactionist perspective on identity and a poststructuralist view of subjectivity provide contrasting views of the self but both make use of notions of performativity (see Goffman, 1959, and Butler, 2005, respectively) in ways that stress the relational, interactive, and potentially divisive aspects of identity. First, a symbolic interactionist definition of identity posits three overlapping aspects of identity: *situated identity* conceived in terms of roles, *social identity* as the groups with which we identify or are identified, and *personal identity* as a sense of self or individual autonomy developed through our personal life plans or projects. Hewitt (2007) writes that personal identity is

> based on a claim of special plans, projects, or purposes, and often entails a sense of difference from others rather than identification with them. As people proceed through the life course – acquiring and shedding roles, group memberships, and identifications – they develop a more or less autonomous sense of self. That is, they come to think of themselves as individuals with life histories and a future and not only as role players or group members. (p. 137)

This definition of personal identity acknowledges the important role of change and fluidity in identity formation, how personal identity "lasts until the narrative of the life

story changes" (p. 103). This definition, in its acknowledgment of the life course and development, recognizes how identity begins with the story of birth and young childhood, components of identity that youth bring to secure care often in the form of trauma, abuse, and neglect. It further relates identity's achievement with being able to envision a future. Finally, this notion of identity taps societal understandings of self-identity as individual property, as a personal project, and as sometimes emphasizing a sense of difference but also a sense of sameness, or identification, with others. This symbolic interactionist perspective acknowledges the tension that despite how it posits a sense of autonomy and ownership over one's particular life theme or narrative, "identity requires the cooperation of others, [and thus] is never merely the possession of the individual" (p. 136). From an interactionist perspective, identity is less about individual acts than about "the reciprocal process of interacting … [in this way,] identities begin to appear as something we must continually construct as an ongoing achievement" (Henderson, 2001, p. 252).

Of additional relevance is the concept of situated identity and the roles we perform, in this case, in a secure care setting. The roles that workers perform – such as counselor, surrogate parent, correctional officer – and the roles that youth perform – such as gangbanger, drug user, leader – interact to affect, I argue, how both think of their identity as youth serve their time, and ultimately exit secure care to transition back to community life. What both workers and youth "do" with those roles in interaction demonstrates secure care place to be a place thoroughly infused with power, resistance, and performance (Scott, 1990).

Second, critical and poststructural theorists posit the idea of subject positions as opposed to the personal identity stressed by symbolic interactionism. Subject positions invoke the idea that subjects are constituted through discourse and rationalities (Foucault, 1994). As Butler (2006) writes, "when the subject is said to be constituted,

that means simply that the subject is a consequence of certain rule-governed discourses that govern the intelligible invocation of identity" (p. 145). Identity, on this view, is multiple and relational. We occupy several subject positions that are changeable, intersecting, and contingent (Mouffe, 1995). The concept of intersectionality implies that occupying multiple identity categories (e.g., race, class, gender) is not an additive process but rather a unique combination of mutually constitutive identifications (Crenshaw, 1995). To say that identity is relational is to assume an "other," a difference, built on the Derridean logic of differánce. In other words, there are ways in which identity excludes and divides (Butler, 2006; Connolly, 1991). It is also to suggest that identities are interactive (Oberweiss & Musheno, 2001) and that identity accounts and categories are always normative (Butler, 2005). Thus, this view of identity as subjectivity seems to stand firmly on political terrain.

A commonly considered difference between personal identity (symbolic interactionism) and subjectivity (poststructuralism) is how each conceives of the interiority of the subject. Is there a concrete, knowing, autonomous, if sometimes hidden, core self? At times, symbolic interactionism appears to suggest that there is. As Henderson, someone with self-declared roots in symbolic interactionism, observes, "Goffman's (1959) presentation of self in everyday life is, indeed, the actor's presentation of someone who appears to be the perfect image of Kant's transcendental subject, regardless of how he or she has been theorized" (p. 249). And Henderson again: "the slippage between what the actor does (the dramaturgical actor) and what the actor is (Mead's socially constituted, work-in-progress subject) often defies detection in theoretical and empirical work within interactionism" (p. 256). But as these observations suggest, despite its seeming positing of an "I" that exists behind the performance, the theoretical grounding of SI considers the thoroughgoingness of the social as constitutive of the individual and more specifically the interactive elements of

the social. The sociologist, Herbert Blumer, wrote in 1969: "It is the social process in group life that creates and upholds the rules, not the rules that create and uphold group life" (as cited in Applerouth & Edles, 2007, p. 166).

While the core self is sometimes assumed in social interactionism, it is flatly rejected in poststructuralist thought. In a critique of the notion of "roles" in contrast to "identity," Oberweiss and Musheno (2001) suggest that we should "do away with the term 'roles' for its implied commitment to a modern, volitional subject" (p. 59). Elsewhere, they have written,

> "Roles" can be chosen and played, exchanged one for another at any time. This implies some human agent, separable from the roles, who is able to put on first one role and then perhaps another. We wish to distance ourselves from this notion of the autonomous self or liberal subject. Instead, our assumptions are that the actor is always and only the interactive total of her/his subject positions and that there is no self beyond the intertwined subjectivities themselves, no rational actor hiding behind the scenes. The distinction between identities and roles, then, rests on differing assumptions about human subjectivity. (1999, p. 900)

The idea of a personal identity has been characterized as illusory, with the illusion being the place of the individual at the center of human existence (Rosenau, 2001). Though as subjects, we are not determined by discourse, we are still discursively constituted, such that "to the extent that a performative act appears to 'express' a prior intention, a doer *behind* the deed, that prior agency is only legible as the *effect* of that utterance" (Butler as cited in Henderson, 2001, p. 252).

A further contrast between the two perspectives is the purposes motivating their inquiries. Symbolic interactionism tends to concern itself with pragmatic and behaviorist concerns about what actors do and "how" they accomplish things in interaction with one another (Henderson, 2001). According to Blumer, meanings, interaction, and interpretation form the core premises of symbolic interactionism (Applerouth & Edles, 2007). The meaning of things (i.e., objects, relationships, institutions, activities, situations) for people arises out of their social interaction with

others. Meanings are social products, but the use of meaning by an actor is not free-standing or automatic. It occurs through a process of interpretation, where established meanings are handled, used and revised to guide and form action. By contrast, Henderson (2001) observes that perspectives concerned with subjectivity are often concerned with "why" subjects do what they do when they encounter others and the interiority of the subject. Here, we might wonder which approach might provide a better *political* account of what occurs in secure care.

There is thus considerable tension between these two conceptions of identity. Henderson suggests that everyday practice shows the subjectivity perspective to be problematic, insofar as "we tend to think of ourselves and (some/most) others as instrumental and autonomous 'agents' who use language to express inner selves, who reify some 'core' identity, placing our own and an other's 'doer' behind the deeds done, and who judge authenticity, authority, and credibility on the basis of 'truth' (Henderson, 2001, p. 249). In secure care, workers regularly raise the question of whether a particular youth is "faking it to make it" or is rather demonstrating internalized attitudes and behaviors. Using the tension between the two perspectives to interrogate what occurs in the secure care setting between staff and youth can provide conceptual leverage to interpret interactions *and* the political insights that follow therefrom.

Secure Care and Procedural Justice

Conceptions of identity link to the empirical research literature on procedural justice in ways that are relevant to the treatment that youth receive in secure care. In this section, I define procedural justice, provide an overview of the literature, and elaborate the connection between identity and procedural justice. Finally, I show that the concept of procedural justice has potential to provide a lens for understanding the interactions between youth and staff in terms of identity, a strategy to build youth

decision acceptance and compliance with facility rules, and a model to guide the delivery of treatment services. In this dissertation, procedural justice guides the juvenile-justice policy recommendations and informs citizenship implications that follow from my findings. For that reason, I reserve discussion of the juvenile delinquency and adolescent development portions of the procedural-justice literature to the normative part of the dissertation (Chapter 8).

Procedural justice relies on a relational model of authority. The model posits that the judgments that people make about the fairness of their treatment, when they are subject to the decision-making authority of others, influence their likelihood to accept and comply with the decision (Tyler & Lind, 2001). Here, procedural fairness judgments are based on perceptions of fair treatment and the receipt of fair (neutral) process. Procedural justice (also known as procedural fairness) contrasts with notions of distributive justice which suggest that satisfaction and compliance with decisions relies on the fairness or favorability of the decision outcomes (Bornstein & Dietrich, 2007; Hegtvedt & Cook, 2000). The relational model of authority is also distinct from early procedural justice research which indicated that fairness judgments rely on decision recipients' perceptions of their ability to influence the decision outcomes (Lind & Tyler, 1988).

The procedural justice literature is large and growing, crossing multiple disciplines including organizational management, education, criminology, political science, and social psychology. In the justice system, research and practice have operationalized procedural justice to include respectful treatment, opportunities for voice and participation, neutral procedures, and trustworthy decision-makers (Tyler, 2007). Tyler and Huo (2002) refer to applying procedural justice strategies to justice system practices as "process-based" services (e.g., process-based policing or process-based problem-solving courts) and contrast them with social control methods that rely

on deterrence or coercive enforcement (e.g., "broken-windows" policing, zero-tolerance policies). In the criminal justice system, procedural justice research findings implicate law enforcement settings (Bradford, Quinton, Myhill, & Porter, 2013; Schulhofer, Tyler, & Huo, 2011), the courts (Burke & Leben, 2007) and prisons (Bierie, 2013; Beijersbergen, Dirkzwager, Molleman, van der Laan, & Nieuwbeerta, 2015; Jackson, Tyler, Bradford, Taylor, & Shiner, 2010).

Much of the literature is linked to estimations of the legitimacy of authorities and institutions (Lee, Steinberg, & Piquero, 2010; Murphy & Cherney, 2010; Murphy, Tyler, & Curtis, 2009; Reisig & Lloyd, 2008; Tyler & Huo, 2002), perceptions of operative community norms (Antrobus, Bradford, Murphy, & Sargeant, 2015), and identity conceptions (Bradford, Hohl, Jackson, & MacQueen, 2015; Bradford, Murphy, & Jackson, 2014; Fondacaro et al., 2006; Lee, Steinberg, & Piquero, 2010). Teasing out the precise interrelationships among the variables across varying contexts is the task facing these researchers, and there is variation in their findings. However, a basic finding is that determinations of legitimacy mediate the relationship between perceptions of fair treatment (procedural justice) and compliance (Jackson et al., 2012; Murphy & Cherney, 2010). In other settings, it is social identity and not legitimacy that mediates the relationship between procedural justice perceptions and compliance (Bradford, Hohl, Jackson, & MacQueen, 2015) or social identity that mediates the relationship between procedural justice and determinations of legitimacy (Bradford, Murphy, & Jackson, 2014) or personal identity orientation that affects determinations about procedural fairness aspects (Fondacaro et al., 2006).

The connection between identity and procedural justice suggests that there is a process of social identification that occurs between the decision-maker and the decision-recipient. Receiving fair treatment by a decision-maker appears to enhance identification with the social group that the decision-maker represents. This sense of

identification then goes on to strengthen the legitimacy of the decision-maker and build compliance in the decision recipient (or to directly affect procedural justice judgments). In "Officers as Mirrors," Bradford et al. (2014) suggest that theories of procedural justice can help to explain why being treated like a criminal (or a juvenile delinquent) or being labeled as one might cause one to act more like a criminal. The authors find that during system contact with police officers, citizens engage this identification process with police and it reverberates to affect their future actions (e.g., compliance, further offending).

A question that then emerges is how much of a difference (in identity and in compliance) do such interactions make? In a separate study that looks at identity formation as a labeling process via formal and informal regulatory orders (including police), McAra and McVie (2012) bring together a top-down governmentality approach and a bottom-up symbolic interactionist approach using a mixed-method approach. They conclude that the official narratives found in policy discourses tell "only a very small part of the story of institutional functioning and impact" while the day-to-day practices of social action – the norms, the customary practices, the working cultures – play a pivotal role that effectively disciplines youth, including and excluding them and enforcing the boundaries of appropriate identities (p. 370). In other words, "it is the *experiential encounters* between young people and regulatory orders which form the crucible in which both individual and institutional identities are forged" (p. 370, emphasis in original). If this view, which is consistent with findings in the procedural justice literature, is correct, attention to the quality of interactions and the resultant impact on identity may be worthy of consideration when thinking about juvenile-justice interventions and their broader implications.

Of course, there are critics of procedural justice.[16] Some suggest that being focused on process rather than on outcomes might lead people to accept decisions that

[16] For an overview of these critical perspectives, see Tyler (2005).

do not provide them with substantive justice. They might then be inclined to accept symbolic satisfactions rather than the ones that would give them more power and resources or that would produce the kind of social change necessary to lessen disparities. Certainly with respect the juvenile-justice system, one could reasonably argue that it should be less focused on individual acts of delinquency and more focused on eliminating the social structural reasons that make delinquent acts more likely, such as poverty, illiteracy, and racism (see Krisberg, 2005). Finally, some argue that there are particular situations in which procedural justice is not important, such as police response to spousal abuse (Hickman & Simpson, 2003). In this study, the victim was more likely to call the police in the future if the spouse was arrested according to the victim's preference and not because of how they were treated in the encounter. Another situation might be when people have a moral commitment to a particular outcome such that they experience less concern about procedural factors (Skitka & Houston, 2002).

Procedural-justice research findings, significant though developing and not uncontroversial, may provide a way to think about increasing safety and security in secure care settings. The way youth are treated by staff can increase their voluntary acceptance and compliance with secure care rules. Rules abound in secure care from having to ask to move a chair or to use the restroom to specifying allowable types of conduct or contact between residents. For some juvenile-justice workers who rely on social distancing and status differences to enforce rules in a secure setting (Gray & Salole, 2006), ideas of procedural justice may seem somewhat counter-intuitive. But fair treatment in both the process of determining rules as well as in their enforcement may be one part of a larger strategy in thinking about self-regulation (Tyler, 2006), developmental skill-building, and creating an environment where safety and security concerns can be addressed so as to make possible attention to other concerns, such as treatment content.

Further, procedural justice may provide a way to guide the delivery of treatment content. That we know its positive impact on compliance suggests that using procedural justice instrumentally to develop "process-based services" may make a positive difference in how treatment is delivered and received, hopefully in a way that affects outcomes. Beyond this, there are normative reasons for relying on these ideas to build a better secure-care environment. In this dissertation I develop these ideas to address "street-level" service delivery of treatment services. Similar to McAra and McVie (2012), Maupin (1993) suggests a strong role for operative norms in setting the tone for the delivery of juvenile-justice services, noting that these norms can lead to nonconformity in street-level service delivery insofar as these norms differ from those held by administrators and policy makers (1993). Norms and everyday practices are the crucial link for improving systems of care for youth in secure care. Setting them as aspirational norms rather than as limiting ones may work to address some of the issues facing secure care's effectiveness and to improve its services from a broader, societal perspective. As Lipsky (2010) observes,

> Improving schools or the welfare system or policing are not just narrow matters of achieving more effective public services at the appropriate cost. They may also be understood as contributing to a more substantial agenda in which government, by improving its public services across all the divides of race, ethnicity, and class, is perceived as *fair and trustworthy*. (pp. 220-221, emphasis added)

Identity, Citizenship, and Pluralism

Identity, as mentioned above, is more than just an individual accomplishment and it is prized by, sought after, and fought over by more than the individual self. At a collective level, identity reaches to national identity and conceptions of citizenship, the purview of a long line of political philosophers. How we think about collective identity can conjure imaginaries that can give rise to nationalism of all kinds (Anderson, 1991). Majority and minority groups can wield their collective self-esteems in competitive and

hostile bids for power (Spinner-Halev & Theiss-Morse, 2003). Who we are as individuals, our politicized identities, also has implications for how we experience liberalism's political life (Brown, 1995). How we conceptualize political identity, including the bond we envision between citizens and the ways in which we countenance pluralism, sets the tone for the quality of citizenship our vision allows (Mouffe, 1995). With regard to pluralism, although some might seek to resolve all difference and reach some kind of collective harmony, if we understand difference as endemic to identity – personal as well as group – then how we live in relation to that difference, how we manage it and live in agonistic tension with it, speaks both to our politics as well as our ethical responses to collective life (Connolly, 1991). Current interest in procedural justice is a response, in some respects, to the decline of civility in contemporary American politics with the offer of attending to process in order to bridge social differences (Tyler, 2000) and to finding mechanisms to promote social cohesion (Tyler & Krochik, 2013).

Although these connections between individual and national identities are well explored in political philosophy, they do not often find their way into the criminology literature or into examinations of juvenile-justice settings. Social deviance apparently is not common fodder for conceptualizations of citizenship. However in this dissertation, I consider the case of how youth receive treatment in secure care and how their interactions with staff work to form identities in relation to conceptions of citizenship.

* * *

What is clear from the review of this diverse set of literatures is that workers at the service-provision level have significant effects on clients in the justice system. Youth identities are clearly implicated in that impact and in ways that may go on to affect both youths' own developing sense of identity, during a life stage in which identity formation is an explicitly developmental task, and issues of recidivism and desistence from crime. We might safely conclude from the existing research that youth identities in secure care

are subject to varied and overlapping disciplinary influences, including penal rationalities, that are themselves volatile and conflicting and expressed in multiple ways, and the daily interactions youth have with staff that contribute to the "uneven" hold of penal rationalities. Indeed, it is in the interactions between youth and staff that policies and practices combine sometimes to unexpected effect.

What also emerges from the juxtaposition of these research literatures is that "treatment" in this context has more than one meaning. In common juvenile-justice parlance, treatment means the substantive, programmatic *content* of what youth are exposed to during their time in secure care. It is the psychoeducational curricula youth experience (e.g., anger management training, substance abuse counseling, domestic violence prevention, life skills), together with the informal counseling by program staff, and the clinical services (e.g., individual therapy, family therapy, medication management) that youth sometimes receive in secure care. It is the stuff of policy debate: should treatment (rehabilitation) or punishment be the dominant justification for a youth's stay secure care? In addition to this way of thinking about treatment, the research, especially on procedural justice, suggests that treatment has another important meaning. Treatment, on this alternative view, includes the ways that workers conduct their interactions with youth – the *process* of their interaction. This dissertation suggests that both types of treatment have implications for "successful outcomes" from secure care and that an examination of one without the other leaves out a crucial explanatory difference that implicates both resultant identities and recidivism.

While the research outlined above is certainly valuable and necessary to this project, there remain a number of unanswered questions in the literature that this dissertation addresses. First, we know less about how youth respond to their interactions with staff and how they view them and their effects. In other words, we still know little about the lived experience of youth in secure care and how their day-to-day

interactions with workers shape their sense of identity and of their present and future lives, especially from their own perspectives.

Second, we do not understand how secure care interactions affect workers – *their* sense of identity, how they think about and experience the work they do – and the secure care setting more broadly. In other words, although the literature suggests that staff-youth interactions affect youth, we know very little about those interactions *as interactive*. By entertaining the idea of mutual impact, that the interactions considered here may work in mutually constitutive ways, it raises the possibility that there are effects to staff of these daily interactions that may, in turn, affect the secure-care setting in important ways.

Finally, we know very little about how existing findings about interactions and identity relate to questions of politics and juvenile-justice policy. Much of the criminology literature is descriptive or diagnostic and leaves off with normative prescriptions that follow from their observations. For example, we can say with confidence that certain types of interactions between youth and staff suggest certain penal rationalities (e.g., new penology versus old penology, or neoliberal versus neoconservative), but we do not know how criminology findings connect either to how juvenile justice should fashion policy in response, nor do we know what broader political implications might result from such insights. This research tries to fill that gap by addressing the normative implications of the bivalent notions of treatment that affect the secure-care setting. The insights prompted by this dissertation research suggest that we should think more broadly about juvenile-justice policy's reform emphasis on adolescent development to include more than neurobiological development. As Erikson and Erikson wrote in 1957,

> Maybe we should recognize in this [defiant adolescent's] glance and stare the universal fact that the technology which we more or less good-naturedly create, the laws which we more or less logically uphold, and the morality which we more

> or less sincerely confess, do not necessarily add up to a world which makes more sense to the delinquent – than delinquency does. And he (sic) cannot afford not to be a delinquent, until we can convince him that in our scheme there is a safer identity for him. (pp. 19-20)

What is involved in that "convincing" may be more *treatment as process* than the *treatment as content* that we often suppose.

CHAPTER 4

METHODS

One of the greatest challenges of this dissertation has been the ongoing struggle to intervene in a setting about which I was curious and passionate and with people for whom I had preexisting feelings of respect, while minimizing the disruptions I caused and without harming to my participants. Throughout the research process, I worked to navigate the many facets of this challenge. While I have no assurance that I have been fully successful, I know this research process was a self-conscious one based on thoughtful improvisation (Yanow, 2001) and reflexivity (Schwartz-Shea & Yanow, 2012). In the face of such requisite flexibility, I have tried to keep my eye on my goal: the improvement of the juvenile-justice system especially for those involved in it.

An event that occurred during my research provides a helpful vantage point. In staff meeting, I listened as several staff members grumbled to each other about a new staff person who was well-liked by youth but not by staff who tended to view him as immature. A long-time staff member, grandfatherly in appearance and role, was sitting off to the side. He tended to be quiet, sometimes not even seeming to pay attention. Today he spoke up, saying with quiet confidence, "We can help him. Don't worry. We will bring him up too." The "too" is a reference to the residents and provides a view into this staff person's vision for what occurs in secure care: raising or bringing up youth. Significantly, he does not draw the line with resident youths. Staff members that need guidance or professional development may also be raised in secure care. The cottage supervisor confirmed this perspective in an interview, saying of the supervisory role, "it

is your job to make people better, to encourage them to be better and help them grow as staff. That's what it is." Although my methods are different, this dissertation is written in a similar spirit of supporting improvement, both in those I observed, the youth and the staff, and the juvenile-justice system more generally.

Confidentiality is a major concern for this dissertation. I have engaged several techniques, which I outline later in this chapter, to protect my research participants from identification, both the youth and the staff members. Another major concern has been navigating and understanding my position as a researcher, made less routine by the fact that I have held positions of authority in the juvenile-justice system that made me "known" (in person or by title) to many of my participants. Although a research project that looked primarily to quantitative analysis or archival materials about the juvenile-justice system may have minimized these two concerns, it remained stubbornly the case that my primary questions about secure care were best answered through fieldwork and observation. Hence, this problem-driven dissertation research (Shapiro, 2002) is ethnographic and interdisciplinary.

There are a number of available banners under which I might situate this ethnography. It could be called *interpretivist ethnography*, relying on longstanding anthropological traditions of ethnography stretching back to Geertz (1973; see Scott, 1990). This approach looks at sense-making practices and the way meanings can be both shared and contested (Van Hulst, 2008). Similarly, an *interpretive organizational ethnography* (Ybema, Yanow, Wels, & Kamsteeg, 2009) seeks to understand the intricacies of organizational life through ordinary exchanges of people, their routines and practices. Such an ethnography relies on fieldwork, immersion, attention to power, emotion and context, meaning making, multivocality, reflexivity, and positionality. Schatz (2009) seeks to build a space for a *political ethnography* that includes scholars with more diverse epistemological commitments. This more expansive label

acknowledges varying degrees of focus on two core issues: a "ground-level method" and an ethnographic sensibility that attends critically to the perspectives of the people being studied and posits a "general sympathy for interlocutors" (pp. 6-7). From feminist sociology, an *institutional ethnography* takes the everyday world as problematic (Smith, 2006). It starts with embodied experience as a guide to study social organization. It aims to build an account of how an institution, like work or education, comes to happen as it does (Smith, 2006) and ultimately, to create knowledge that can support efforts to make change "from below" (Teghtsoonian, 2016). In some ways, this dissertation could stand with relative comfort under all of these banners. Of course, it is possible to find places of disagreement, and yet each of these perspectives, to one degree or another, has guided my efforts.

Labels guide and constrain, create space and enforce discipline. My commitments in this work stem primarily from the puzzle I seek to solve – how interactions between juvenile-justice workers and secure care youth affect and materialize juvenile-justice policy, often with impact on participant identities. But my research choices show definite epistemological leanings. By seeking to understand how secure care does its work and the impacts of that work on people and policy, I made a commitment to look for the political in the everyday (Scott, 1990). I sought ways of articulating how meanings are created in social interaction (Schwartz-Shea & Yanow, 2012), meanings that are consequential for how policy gets expressed.

I view my interlocutors – youth and staff – as experts. I took this stance not uncritically but started from the standpoint that I knew less about secure care than those who lived and worked in it (Van Hulst, 2008). That is, I chose to see them as "knowledgeable informants from whom institutional ethnographers can learn" (Teghtsoonian, 2016). I asked question after question, and I watched and listened carefully, critically, and sympathetically (Schatz, 2009) to them and their embodied,

lived experience (Smith, 1990). By working toward a level of "intertextuality" across multiple sources of evidence (Schwartz-Shea & Yanow, 2012, pp. 51), I aimed to provide deeply contextualized understanding of secure care. I sought to give voice to what occurs in a part of our society that is closed to most of us – one that is infused with power relations (Smith, 2006; Schatz, 2009), emotion (Ybema, Yanow, Wels, & Kamsteeg, 2009), and identity (van Hulst & Yanow, 2014) – and that I believe affects us all. I chose to start with "concrete practices" and their effects instead of starting with "universals" in order to make intelligible what happens in juvenile-justice policy (Foucault, 2008, as cited in Teghtsoonian, 2016). In this study, I seek to understand the way in which interactions and policy intersect to create the working conditions that effectively guide street-level practice (Brodkin, 2012).

By seeing staff and youth as experts, it follows that I posit an active role for them in determining how policy gets expressed and ultimately what secure care does for and to youth (and staff). Agency can be a tricky concept. As Hitlin and Elder (2007) point out, it can seem rather banal to point out that "social actors make decisions, no matter how socially circumscribed" (p. 170) Broadly understood as dealing with "questions of personal causality" (Bandura as cited in Hitlin & Elder, 2007, p. 173), agency is complicated by the tensions between freedom and constraint that pervade agency/structure debates.[17] In the total institution environment of secure care, where all actions are subject to close scrutiny and, in the case of youth, one's liberty interests are always and everywhere at stake, finding agency there may be a surprise. No doubt it is a severely constrained notion of agency, but what I show is that this agency expresses itself in ways that implicate the juvenile-justice system and even the rest of us, as citizens, with a common political collective at stake. Understanding this agency and seeing it in relation to a myriad of constraints is important to understanding the politics of secure

[17]See Giddens, 1991.

care. Similarly, this ethnography acknowledges how discourses and rationalities at once construct us and are also things that we use to participate in and to construct our own everyday realities. This "both/and" logic (Bacchi, 2005) with agency and discourse guides my inquiry.

Finally, my commitment to improving the juvenile-justice system is less about seeking changes "from below," as an institutional ethnography approach often does. It provides a picture of secure care and its impact on policy that can assist those wishing to engage a broader range of considerations in the construction of juvenile-justice policy during an age of "evidence-based practices" and concern about adolescent brain development. In sum, this dissertation is an interpretive account of the secure care setting and the impact of interactions between youth and staff on both the people and policies of secure care.

There are, of course, limits to the use of any methodological approach. The main limitation of my ethnographic approach is consistent with claims leveled against many qualitative and interpretive research efforts: the generalizability of the results (but see Flyvbjerg, 2006). It would be concerning to take my research findings and apply them uncritically to a fundamentally different setting, say, corporate America. Even the relation of my work to related but distinct settings – boarding schools or adult prisons or nondelinquency-related youth programs – should be done with caution and with attention to the local contexts. That may make my project seem to have limited applicability, but even within an individual setting, there are general lessons to be learned. Indeed, there are important ways in which this research challenges the generalizability claims of other methodologies, even those consistent with the "gold standard" designs that undergird evidence-based practices in the juvenile-justice system. Very generally speaking, this research demonstrates that local context – interactions, treatment environments, individual identities and operative norms – makes a critical

difference in how even evidence-based practices get implemented. These contextual factors should not be looked at as only potential obstacles to perfect implementation but as local realities that can also facilitate better outcomes if understood in relation to "what works" in an abstract sense. Further, this research demonstrates what is involved in obtaining the kind of deep information about a local setting that can help public policy. As I state later in my study, many times I was confronted with the realization that I would not have been able to learn from youth and staff as I did, had I not invested months of building trust and connections with them to enable me to hear them as I have ultimately presented here. Only in rare circumstances do policy and program evaluations spend the kind of time to gather information of the type I present here. My claim: a methodologically-diverse field has something of critical value to offer to public-policy analysis.

In this chapter, I outline my methodological approach. However, before turning to that, I first provide an overview of the research setting with details about the structure and process of secure care. There are many rules in secure care, and while it would be difficult and unhelpful to convey them all, I have tried to begin with enough contextual information to assist reader comprehension of the chapters to follow. Next, I give an account of my data sources and then my analytic approach to the data. I then address issues of confidentiality, a core ethical concern throughout my research process. Finally, I give a reflexive account of my research process as a way of providing my readers with some transparency, particularly about the ways in which my positionality inevitably affected what I was able to observe.

Secure-Care Cottage Life

Although I do not provide detailed physical descriptions of the two cottages I observed for confidentiality purposes, I attempt to provide a brief outline of the secure

care process, informed by my observations, including key context-specific vocabulary; information about staff member positions and shift work; and some general description of the physical aspects common to secure care facilities in Utah.

Secure-Care Process

When youth are committed to a secure-care facility by Utah's juvenile court, they are sentenced until age 21 or until they achieve parole. Once they arrive in secure care, jurisdiction is transferred to the Youth Parole Authority (YPA), a group of citizen volunteers responsible for determining treatment plans, evaluating resident progress, and determining length of stay, including release. YPA members sit in panels of up to three members and make decisions jointly. A secure care resident first appears before the YPA within 2 months after arrival for an initial hearing. This hearing sets the resident's treatment plan and sentence guideline using input from staff as well as formal sentencing matrices that consider committing offenses and offense history. After the initial hearing, the YPA sees a youth resident at least every 6 months for progress hearings. When time served and treatment progress warrant, a parole hearing is set. When granted parole, a resident transitions back to the community for up to 90 days (called "gettin' my zero" because the transition period is 0 to 90 days long), after which custody status is changed from secure care to a formal designation of parole. JJS case managers, not secure care workers, track former secure care residents while they are on transition and parole and are ultimately responsible for proposing to the YPA final termination of the youth from state custody.

When a youth first arrives at a secure care cottage, he or she goes through an intake and orientation process.[18] During this process, his parent or guardian is notified of

[18] In the remainder of this dissertation, I use the pronoun "he" to refer to a secure care resident. Although up to 10% of youth in secure care are female, none of my

his arrival, his belongings are searched, catalogued and mostly stored until his release. Some limited items are available to him in his room or in an area within the cottage. He is strip-searched, made to shower and don the uniform clothes given to him to wear and is assigned a room (or cell,[19] usually one close to the staff office to allow for greater observation opportunities). He undergoes a number of screenings, including one by medical staff and a suicide risk assessment. A staff member informs the new resident of the rules of the facility and cottage and any requirements that he must fulfill before joining cottage life. These requirements might include writing an entry autobiography, answering a questionnaire, participating in a welcome group (see below) and meeting with the staff person who has been assigned as his advocate.

An *advocate* is a staff person that is assigned to a particular youth's case. Advocates coordinate the treatment of youth assigned to them. They write the progress and parole hearing reports submitted to the YPA. They propose treatment plans. They attend YPA hearings with the youth. They are required to have one-on-one conversations with the youth assigned to them on an at least weekly basis. They help make decisions about youth and often have more say in what happens to the youth in their daily secure-care life than the other staff in cottage.

Most secure-care cottages, including the two that I observed, are run using a *level system*. The idea of a level system is that resident behavior and treatment progress are

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observations included females. Using "he" makes narrative sense and acknowledges explicitly the gendered aspects and potential limitations of my research.

[19] Most of the time, youth and staff members refer to a youth's *room*: his private space where he has a bed, toilet, sink and shelf for his few permitted belongings. I observed for weeks before I heard a youth refer to it as a *cell*. As I began to listen, perhaps more carefully, I heard *cell* more frequently, often when youth were confined to them for long periods or when they spoke to me in interviews. "Being in your cell" was a bad thing about secure care, especially at night or when one is locked down for a long time. It makes you "think bad thoughts" or becomes "harder to keep your head up." Isolated confinement occurs in a *cell* not in a *room*. I use both terms in my analysis depending on the meaning ascribed to the location and the speaker. I never heard a staff person call them cells.

evaluated weekly to determine the level of privileges a youth will receive. A level system is designed to reward good behavior and treatment progress. Usually, there are about three levels (e.g., gold, silver and bronze) and different privileges are associated with each level. For example, a gold rating might have a later bedtime: 9:30 plus attendance at a special event (e.g., Saturday night movie or "group fun"), access to a radio, extra gym time, first dibs on second helpings at meal time, or the ability to apply to be part of resident government. A bronze rating might mean an earlier bedtime: 8:30 p.m. with no special privileges. A silver rating might be a mix between bronze and gold privileges with a 9 p.m. bedtime. In some cottages, youth are asked to complete a form each week that contains a self-evaluation and asks them to state a level request. In other cottages, staff members make the determination based on log notes, daily ratings, and their evaluations of the youth's behaviors. Levels are determined during staff meeting. In one cottage I observed, ratings were decided by staff consensus. In the other cottage, majority vote was used.

Rule violations result in *consequences* in secure care. The term "punishment" is almost never used, rather staff work to convey to youth that all actions have consequences. Consequences for rule violations include early bed, going on "security" status, and "restricted programming" status in order of severity. An *early bed,* given in some cottages in response to minor rule infractions – an unmade bed, poor school ratings, a disrespectful comment – means that at a certain time, perhaps 8:00 p.m., the resident must leave the common area and be confined to his room for the rest of the evening, regardless of his usual bedtime. An early bed may be given regardless of the youth's ranking on the level system, lasts only for one day and does not negate other privileges beyond bedtime. Going on *security* is in response to a rule violation or behavior that shows a youth to pose a security risk to the cottage, like nonviolent gang behavior, getting caught cheating, or a prolonged anger outburst where no injury is

caused. In some cottages, it can mean sitting at a desk instead of being able to socialize during free time and working on extra treatment assignments. Security might last a day or two and results in a loss of privileges, but with good behavior they usually can be regained quickly. For more serious rule violations, such as fighting, stealing, or other violent behavior, residents are placed on *restricted programming*. There are three levels of restricted programming that increasingly strip youth of privileges. At the most minor level, restricted programming may look much like "security" with the loss of a few more privileges. At the second level, youth may not be allowed to attend school and will spend more time in their cells. At the most severe level of restricted programming, youth are placed 23 hours in an isolation cell and given 1 hour outside their cell each day for exercise and a shower. They are stripped of most of their clothes and belongings. No matter the severity level, once a youth is taken off of restricted program, he has to begin the process of earning privileges back and rejoining the cottage community. Usually, this process takes a couple of weeks and sometimes considerably longer. Chapter 5 describes a youth's experience in isolation in more detail.

There are a number of different kinds of *groups* that occur in secure care. For instance, a *welcome group* is held whenever a new resident arrives. In one cottage's welcome groups, each current resident and staff member is asked to introduce him/herself and then name one rule in the cottage. *Levels group* brings residents together so that staff can announce level system ratings for the week. *Feedback groups*, where youth are asked to hold each other accountable for rule violations, also vary by cottage. For example, some feedback groups have youth picking consequences (or punishments) for one another or themselves. Others leave that responsibility to staff members. Feedbacks groups are sometimes known by the more colloquial expression of "calling groups" on someone, a process described further in Chapter 6. Other groups occur simply when staff need to talk to all of the residents at one time.

A *treatment group* is, most often, a psychoeducational topic addressed in a group setting. Some treatment groups are run by people external to secure care, such as Alcoholics Anonymous and Narcotics Anonymous. Other treatment groups are run by cottage staff or a facility clinician, like victim awareness, anger management, or gang group. Groups might be held on thinking errors, human sexuality, life skills, social skills, problem solving or goal setting. Family Night group might invite family members or parents to participate in educational activities. The Family Nights that I observed included gathering together for a shared meal (often potluck or provided by staff), followed by splitting the group for a parent activity and a youth activity. Then the two groups would get back together and share what they learned. These events often focused on healthy communication skills and opportunities for parents and their children to get to know each other better. Treatment groups usually last for a specified number of meetings, such as once per week for 6 weeks. A cottage manual lists over 30 treatment groups as examples of those that might be held on a rotational basis in secure care.

Staff Members

Staff that work in secure care cottages have one of three relevant job titles: Counselor 1 or Counselor 2 (these two positions are nearly identical with only a pay raise for education or experience differentiating them); Counselor 3, also known as "lead staff"; and Supervisor. *Counselors* of all ranks work directly with youth on a daily basis. They are "line staff" and provide treatment services to youth and are the primary staff responsible for cottage security. They enforce the rules with youth. They carry facility keys. They are trained in crisis response: physical and verbal deescalation skills. In Utah, JJS employees, including secure care counselors, wear plain clothes (not correctional uniforms). They do not carry weapons. Counselors serve as advocates for youth and complete all of the associated advocate responsibilities. Counselor 3s have

additional responsibilities, including things like planning staff work schedules and being a decision-maker during shifts when they are the highest-ranking staff member in cottage.

Supervisors are the highest-ranking cottage staff. They make hiring and personnel decisions for their cottage. They report to the facility administrator. The amount of time supervisors spend with youth varies, but they also tend to work standard business hour shifts, not evenings or weekends. But supervisors are always on call should an incident occur, and staff frequently spoke of texting or calling the supervisor during off hours. At the time of my observations, each cottage had one supervisor, two Counselor 3s, and seven Counselor 1s or 2s.

Full-time staff members receive training on a myriad of issues, from first aid to incident response report-writing, from crisis response techniques to gang awareness, from policy and procedure training to substance abuse information. New full-time staff members attend a week-long training that addresses a range of relevant topics. The amount of training received by staff has increased over the years, but during my fieldwork it was still relatively common for staff to complain about lack of training especially in terms of their treatment group responsibilities. I discuss staff training in detail in Chapter 7.

Shift Work

During any shift, at least three staff members work, usually with a Counselor 3 or a supervisor present. A *day shift* begins in the morning when boys are just waking up and continues until around 3 p.m. *The evening shift* starts in the early afternoon and continues until the boys are locked into their rooms for the evening. *Graveyard shifts* are completed by noncottage-specific staff. Because the boys are all locked in their rooms, graveyard staff duties consist primarily of room checks: shining a light into each

room to identify the presence of each youth multiple times each night. I did not observe graveyard staff and for the most part, they do not get to know youth unless they also work other shifts as part-timers. Weekly staff meetings occur at day- and evening-shift overlap so that more staff may attend.

Shift change in secure care is the time during which day-shift ends and evening shift begins. In this overlapping time, departing staff discuss what happened that shift with particular youth (e.g., behavior issues, "bad days," school incidents), discuss concerns (e.g., warnings issued, things to watch for), and mention any commitments made (e.g., awarding of phone calls, agreements to allow special restitution work, treatment assignment deadlines). These communications usually occur away from youth: either in the cottage office, "up front" (see below), or even outside in the facility parking lot.

<u>On Location: Secure-Care Facilities</u>

For this dissertation, I refer to the two cottages I observed during my research as Cottage Bravo and Cottage Summit. They differ in physical layout, in the staff and youth assigned to them, and in the treatment environments they fostered. These are not the real names of the cottages I observed. I have also described them imperfectly, masking their physical features and sometimes their nonessential routines so as to make it more difficult to discern which secure-care cottages and facilities were part of my study.

Physically, each secure-care facility has a locked front entrance and waiting area for visitors. Just beyond the public entrance, there is an office area with meeting rooms and offices for administrative staff. This area is the "up front" part of secure for staff, the place where staff can gather away from youth, leave their things before their shift begins, and use their cell phones. Sometimes staff meetings occur "up front" and sometimes "down" in cottage. There are several cottages in each secure care facility. Some are used

and some are unused. During my observations, JJS had several unused cottages in different secure-care facilities across the state. Also on the secure care grounds are rooms devoted to the school, a gym, a "back field" for outdoor recreation, visiting rooms, and a facility kitchen for meal preparation and distribution.

Also "up front" is the control room. *Control* is the hub for facility surveillance and is staffed by a team of workers. Usually one control worker is on staff at a time. He or she can open and close doors in the facility, all external and some internal, from a central location. Control workers monitor the myriad of cameras in all the visiting rooms, halls, common rooms, classrooms, and other "public" areas, including exterior cameras that watch the backfield and the facility perimeter. They watch cameras in resident cells that have surveillance options. New resident, suicide watch, and isolation cells are examples of rooms that may have constant surveillance.

Cottages are physically distinct locations that house between 10 and 15 youth each. I have chosen to call each secure care site a *cottage*. These sites have various names in different secure care facilities: cottages, living centers, units. They have different physical arrangements: sometimes more like stand-alone living areas and sometimes more like wings of a larger building. *Cottage* highlights the smaller number of youth in each living situation. It is also a name with some historical significance, as it was first used in the mid-1800s to identify newer reform school living arrangements that contrasted with the older, dormitory-style arrangements more characteristic of houses of refuge (see Chapter 2). A cottage has individual locked rooms (or cells) for each resident, a common area, a staff office, and a shower area. Some cottages have kitchenettes and dining areas; other facilities share a common dining room for all cottages. The capacity of a secure-care facility in Utah ranges from 30 to 85 youth. One small, rural facility houses 10 youth in secure care. Altogether, there are five secure-care facilities in Utah.

Cottages divide youth into different living groups. There are different cottages

for sex offenders, for girls, and for *general population* boys. My research studies these "general pop" cottages that essentially include boys with drug offenses, violent offenses, and felony-level property offenses. In juvenile-justice lingo, these are *conduct-disordered* kids: most often "gangbangers and druggies."

Youth from all the cottages in a secure-care facility attend school together on the facility grounds. Schools are staffed by teachers from the school district in which the facility is located. During school hours, secure-care cottage staff members are present in or just outside of the classrooms to assist in safety and security. Facility-wide schooling means that although sex offenders, girls, and general population boys are separated from each other in cottage life, they attend school together. They may also cross paths in facility-wide treatment efforts (like Family Night or Alcoholics Anonymous meetings).

Other events bring residents from different cottages together. During my study, I attended church services, watched sports competitions between cottages, played bingo, and saw a visiting high school chamber orchestra perform. Youth received line dancing lessons, studied guitar, met a documentary film producer, and attended different cultural nights of food, music and traditional dance performances. Usually these events occur through the hard work of the facility administrator or staff to locate volunteers willing to share their time and talent with youth. The frequency of these types of events thus varies considerably by facility. In part, these are efforts to "normalize" life in secure care as well as to expand the horizons of these boys who, as one staff member put it, "think their 'hood is all there is."

Sources of Evidence

In conducting this dissertation research, I relied on three sources of evidence: ethnographic observation, interviews, and written materials. They were "generated" (Schwartz-Shea & Yanow, 2012, p. 80) relatively simultaneously during my fieldwork.

While I waited for access to the secure-care cottages, I began interviews with staff. The frequency of staff interviews diminished somewhat as my ethnographic observations intensified and then rose again toward the end. The written materials were gathered from interviews and during the course of my observations. In all, my fieldwork took just over 1 year to complete.

Ethnographic Observations

I completed a 6-month observation period in two different secure care facility cottages. These two observation periods overlapped by a couple of months in order to encourage comparisons across facilities and to compress my fieldwork into a 1-year time period. The purpose of observing two different cottages was to try to gain exposure to a wide range of experiences in secure care with the idea that observing a greater number of youth and staff would aid my attempt to "map" the field of secure care (Schwartz-Shea & Yanow, 2012, p. 85). I went to the cottage between three and six times per week. Each visit tended to last at least 4 hours and was often longer. At times, my visits were interrupted by interviews or other meetings. Or sometimes, during certain secure-care routines like shift changes or staff meetings, I was at the facility with staff but not in the cottage. Because I did not seek to observe the school setting,[20] on most weekdays, I was precluded from observing during school hours (roughly between 8 a.m. and 2 p.m.). Although I did observe a small number of weekday mornings before school to familiarize

[20] Observing school would have required added levels of permission and access for my research. Rightly so, children and prisoners are considered vulnerable populations for research. Schools in secure care are operated by the local school district, not JJS. Observing school would have triggered an institutional review board review by the school district. Because school is conducted with youth from several cottages, I would have observed a larger number of youth and thus needed to obtain additional parental consents and youth assents. Since my research already required approval by two institutional review boards which gave me access to the primary setting I sought to observe, it did not seem advantageous to engage a lengthier and more elaborate approval process.

myself with the routine (6:30 to 8 a.m.), as a practical matter, most of my observations occurred between 2 p.m. and 10 p.m. Monday through Friday, with more expansive hours (generally between 9 a.m. and 10 p.m.) on the weekends and holidays (including summer vacation). I varied my visits by the day of the week and time of day so that I could observe a cross-section of staff and routines. Over time, I had 16 staff members and 29 youth in the observation portion of my study.

When I sought formal access to secure care to conduct my observations, I did so more as an "observer" and only secondarily as a "participant." In other words, I proposed to watch what occurred in secure care and did not seek a formal role, like intern or staff member or volunteer. My approved state agency institutional review board proposal said,

> I will "shadow" staff, participate in unit activities to the extent allowable by the facility director and treatment unit supervisor, and observe worker-youth interactions … I aim to develop a sense of lived experience through naturalistic observation, with attention to relationships…

Over time, and to different extents in each of the cottages, I came to be seen, particularly by youth, as "just like staff." They would ask me when I was next working, when my next shift was. They would ask to talk to me, like they asked to talk to staff, about their problems, their families, and their futures. Staff would talk to me about proposed courses of action with youth and sometimes ask my opinion. They encouraged me to talk to youth and sometimes to participate by running a *group*. Although the increasing amount of my participation in the setting could be viewed as a sign of my gradual acceptance, there are multiple possible interpretations available for these interactions, some of which I discuss later in this chapter as I raise issues of confidentiality and reflexivity. One alternate, possible interpretation is that in the severely constrained world of secure care, where the choice between "resident" or "staff" is almost the only one available, "staff" was my *de facto* label.

The process of coming to be "just like staff" was gradual but not at all subtle for me. I gave great thought, indeed worry, to how "involved" I should get with youth and staff. An interviewee suggested that "immersion" was the best way to learn in secure care. Still, my fieldnotes are strewn with ponderings about my own actions and choices that I made "in the moment," their influences on the "field," and on my observations. In this ongoing decision process about my role, I often chose to follow the lead of staff. If encouraged to talk to a youth about a particular challenge, I tended to do so. If I remained uninvited, I tended to hang back. There might be a tendency to interpret my choice as a passive response: letting others make my decisions for me. But I conceived of it differently. Cognizant of my rather strong personality, I worked hard to be observant of the verbal and nonverbal cues in the setting and to constantly attend to how my presence affected those around me. If they were significantly uncomfortable by my presence or my participation, I knew that I risked becoming the primary actor affecting behaviors in the setting. Achieving access is far more than formal permission-seeking, it is about establishing the rapport required with my interlocutors so that my observations were meaningful (Schwartz-Shea & Yanow, 2012, p. 59).

In the two cottages, I struck a different balance of "participant" and "observation," spending more time with youth ("participating") in one cottage and more time with staff ("observing") in the other. Some of the difference stemmed from the structure of life in the two cottages. Some of it was also due to the situated knowledge I had gained in the one cottage that informed the second. And some of it was due to the different cues I received from staff and youth during the course of my observations. In this study, being a participant included talking to youth in group or one-on-one settings; playing cards or other games with them and with staff; sharing my personal experiences; answering questions posed to me by staff or youth; or participating in group activities led by someone else, such as bingo or a treatment-group role play. Being an observer meant

sitting to the side and watching silently what occurred. What varied in the two cottages was the balance I struck among the activities. Although I cannot know if I struck the right balance on each visit or over time, and although I am sure I made some errors of judgment, I chose to rest on the side of minimizing my disruption, in part because of my sheer presence in such a closed setting and in part because of my reputation as someone with formal authority.

At each facility, at the beginning and the end of the observation period, I visited slightly less often, in order to accustom people to my presence initially and to allow them to become accustomed to my absence toward the end. Although I did not plan this strategy beforehand, it became advisable once I began my observations. I found that my observations initially made staff uncomfortable to different degrees across staff members and cottages. Easing my way in helped them to get to know me slowly and feel more comfortable around me. Eventually, as their faces and bodies showed less stress with my arrival, and as our conversations became more relaxed, I increased the frequency of my visits.

Tapering my visits at the end of my observation period was also unanticipated. After 6 months, I had made many connections with residents. It proved stressful for some of them to have my visits drop off precipitously. In fact, one youth, with whom I had made a connection and who experiences moderate mental-health concerns, demonstrated behavior changes in response to my initial announcement of ending my observations. These events prompted a series of conversations and yielded a decision to consciously taper my leave-taking. Further, the youth in my study sometimes had big milestones in their lives – high school graduation, parole review hearings, court dates, return to secure care after an initial (unsuccessful) transition back to the community – during my fieldwork. At times, they requested my presence and support at or around these events, even after my observation period ended. In limited instances, I returned to

the cottage to attend these events and show support to the youth in my study.

To say that the boys wanted my support tells the story from only one side. As is true for many of the staff I observed, I developed a sense of emotional investment in most of the youth I observed. After months spent together, I found myself rooting for them to make good choices and nervous about what would happen in their sometimes-fragile family relationships. I wanted very much to see all of them change the arc of their lives. I came to understand what one staff person meant when she told me that she felt like she had two families: her family at home and her family at secure care. In the end, due to my research commitments and their associated ethical obligations, the safety of my family, and the boys' privacy and rights to be left alone, I have had no contact with the youth in my study since I left the field. However, these boys play a lively role in my memory, in my increased understanding of the world for all they have taught me, and in my continued desire to see them have happy and healthy, crime-free lives.

Electronic devices, such as cell phones and recording devices, are not allowed in cottages because they are deemed to be a potential security issue. Staff must leave cell phones in their lockers at the entrance to the facility. For this reason and because I was concerned about participant discomfort, I did not seek to record my observations. I also did not take notes while I was at the facility, though I did sometimes write furiously upon reaching the privacy of my car in the parking lot. Occasionally, I audio-recorded my thoughts as I drove home from a visit and then later transcribed those thoughts into a fieldnote entry. Most often, I waited until I was at home in the evenings and wrote my fieldnotes, like Pachirat (2009), sometimes exhaustingly late into the night. My fieldnotes rely on codes for different research participants and cottages so as to make identification of people and places more difficult.

The advantages of not audio-recording my observations and not taking notes while in cottage were primarily the comfort of my participants but also the fact that there

was no privacy in secure care. There was simply nowhere to put a notebook when I was not using it. I did not want to risk it being picked up and read without my knowledge. The disadvantages of leaving aside notetaking and audio-recording were many. The greatest of these was memory. My skill in remembering details of conversations improved considerably as the first weeks passed, but verbatim conversation transcription was not possible. In the course of a visit, I might have multiple conversations that each lasted for 15 minutes or longer. Sometimes a lengthy conversation would drift in and out of what I considered significant at the time. Sometimes youth were more and less logical in their conversations, affecting both my ability to remember them and to make sense of them. And of course, what proved to be significant in the moment was sometimes not what grew to be significant over time. The lack of verbatim transcripts affected what kind of analysis was possible. Rather than conversation analysis, I would have to rely on close coding and detailed description from fieldnotes for this ethnography.

Interviews

I conducted three different types of interviews for my research. The first type was with JJS staff members who work as A) secure care staff, both supervisors and line staff, or B) case managers, who manage caseloads of youth, some of whom are in secure care, or C) transition staff, who help to track and provide services to youth in the community after they leave JJS programs. A small number of interviews were with others that I met in secure care, for instance, teachers. I selected my interviewees intentionally (purposively, to use the language of sampling) based on their work experience. I completed 36 of these *staff interviews*.

The second type of interview was with youth that were part of my cottage observations as they were leaving secure care. Less than half of the 29 youth that I

observed left secure care during my observations. But the 12 *youth interviews* I conducted gave me a chance to talk to them relatively privately about their secure care experiences. For the youth in my study, achieving a transition to parole during my observation period triggered an interview. I saw all my interviews as an opportunity for youth and staff to construct a narrative of their experience of secure care (Gubrium & Holstein, 1998).

The third kind of interview was with youth that I did *not* observe but were leaving secure care on a transition to parole. These youths were at other secure-care facilities or in other cottages, and I did not know them. I selected these youths for interviews based on when they left secure care. Immediately after the completion of my observation of the two cottages, I tried to interview the next 12 youth that transitioned onto parole at one of the four secure-care facilities along Utah's Wasatch Front. The purposes of these 12 *comparison interviews* were to match the number of *youth interviews* and to provide a contrast with the information I received in the interviews of the observed youth, as a check on what I was hearing from youth I had gotten to know. The interviews provided intertextuality in my attempt to map secure care (Schwartz-Shea & Yanow, 2012). They also allowed me to include girls in my study to a very limited degree.[21] In the end, much of the information I heard in both sets of interviews with youth was similar though often was significantly more personal and familiar with the youth I observed (see Chapter 9).

My initial interview questions focused directly on conceptions of identity, but my phrasing did not resonate with interviewees. Both my knowledge of the research

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[21] At the time of my research, and for most of the history of JJS, there has only been one cottage of secure care girls. Although girls have at times made up 49% of the overall JJS population served, they are at most 10% of the secure care population. For example, in 1891, girls comprised 9% of the state industrial school population. In 1989, about a century later, girls made up only 2.2% of secure care youth. In 2014, 10% of secure care youth were female. The small number of girls available for observation and the lack of a second cottage to provide comparisons made girls a less viable focus for this study. Thankfully, my prior research has focused on girls in the juvenile-justice system so some of their situations were not unfamiliar to me.

literature and my professional experience did not sufficiently prepare me to develop fully appropriate interview questions in this context. I thus revised my questions so as not to impose my preconceived ideas on my interviewees. I asked more general questions that, in the end, generated the kinds of information about secure care that I sought: their ways of thinking about themselves and their work/time in secure care. This need to reformulate questions could be seen as a lack of preparation or even a vulnerability of my study. According to Howard Becker (1998), using such a logic of research design with interpretive projects "treats as a sin what is actually a major scientific virtue: the willingness to revise your thinking in light of experience" (p. 193). My questions changed because of my increased understanding of the people I interviewed and the context. In other words, my improvisation was "in the moment" but built on attention to local details and my practiced awareness of what was occurring in the field (Yanow, 2009, p. 293). The revised questions then remained consistent during the remainder of my interviews.

With staff, my main questions came to be, 1) "Can you help me understand what you personally are trying for in your work with youth?," 2) "How do you think youth are affected or changed by their time in secure care, if at all?," and 3) "JJS philosophy uses the BARJ (Balanced and Restorative Justice) model. How do you think it relates to work with secure care youth, if at all?" With youth, my early interviews taught me that they tended to be less articulate than I anticipated, particularly when talking about themselves. Over time, I came to ask more general questions. With youth, my three main questions were, 1) "How does it feel to be here, to live here in secure care?," 2) "Who had the most influence on you during your stay in secure care?," and 3) "How, if at all, has secure care affected how you think of yourself?" The third question came to be the best way to get youth to talk about themselves and issues related to identity.

All of these indepth interviews were conversational in style. Because I knew

many of the interviewees, either due to my research or prior to it, it would have seemed formal and artificial had the interviews not been conversational in nature. I was concerned that my interviewees would not feel at ease enough to answer candidly if I engaged too formal of a process. My comparison interviews were somewhat less conversational in nature, and this seemed natural given our unfamiliarity with one another. Interviews lasted between 30 and 75 minutes, depending on how much the interviewee chose to share. All but one of the interviews was audio-recorded.[22] For this interview, I took notes during and immediately following the interview. All of the interviews took place on JJS property, either in secure-care visiting rooms, meeting rooms, or case-manager and transition-staff offices.

Written Materials

In terms of written materials, I collected autobiographies from youth: assignments they wrote during their secure-care treatment process. I also collected other examples of treatment assignments and information from their case files. I did not collect these textual artifacts unless given permission from staff, usually a supervisor, and rarely asked for things aside from autobiographies. I did ask for and receive an electronic copy of a cottage's policy manual when it seemed to figure prominently in the cottage's operations. More often, I read things that youth shared with me from their treatment binders, or read the case files created about them, and then later wrote about them in my fieldnotes, reconstructing as much as possible from memory. To the extent that I relied on artifacts, these documents entered my data set and were coded along with fieldnotes and interviews. Like all of my data, they are confidential, and I use them only in ways that will not reveal the identity of the subject involved. For this reason, I do not

[22] One youth's parent chose not to agree to the audio-recording portion of the consent form.

cite these sources in my bibliography but refer to them only in the main text.

Data Analysis

The analytic work of ethnography is constant. It begins before you show up on your first day and it continues, unabated, until the ethnography is written. One way my analytic work showed itself early on was in the constant assessments and microadjustments that I made to my research design and then to my interactions with staff and youth. From assessing the reception to my presentation of self to revising my interview questions to writing my fieldnotes that were filled with my own sense-making and self-doubt and reflexive musings, my analytic work often felt overwhelming, particularly in its pull to keep me flexible. But analytic effort at these early stages had structure as well. I kept a file of interpretive notes: a separate document by month that kept a running catalogue of my thoughts, questions, and theoretical connections I was making over time. I had to trust that my musings and conjectures might eventually be of some use.

Upon fieldwork completion, I began the process of transcribing my interviews. At first I believed I would transcribe my own interviews and that listening to them would help me recall content and help my analysis. This choice proved too difficult and time-consuming to execute. In the end, most of my interviews were transcribed professionally by a company specializing in qualitative-research transcription. Checking the completed transcription for accuracy, correcting omissions (e.g., places the transcriptionist marked as inaudible), and removing incidental identifying information ended up serving the same function that I had expected from doing the transcription myself.

A year's worth of fieldnotes, about 60 interview transcripts, and assorted textual artifacts created a large amount of data. I used ATLAS.ti software to help me manage handling and analysis. I coded my fieldnotes and interviews and the additional written

materials, which after review, appeared relevant to my study. Much of my initial coding was organizational: codes for specific participants, locations, sources of evidence, demographic information. These organizational codes allowed me later to look for patterns by cottage, by staff person, and other context-specific issues. Coding more analytically was an iterative process that required going back and recoding to capture an idea that only hit my awareness after a few mentions, as I began to see patterns in my data. As Emerson, Fretz, and Shaw (1995) write, coding in ethnography "is a way of opening up avenues of inquiry: the researcher identifies and develops concepts and analytic insights through close examination of and reflection on fieldnote data" (p. 151).

Coding in my project had at least a couple of meanings. As stated above, it was organizational in nature. It also had a quantitative meaning, insofar as I did use codes to aggregate things. I counted instances of events like numbers of supervisor interviews and youth returns to secure care on transition. But analytic coding was less about counting words or phrases as in some content analyses and more about looking for patterns of evidence. Coding meant reading my data for themes in an attempt to discern patterns and make sense of my observations. Systematic coding substantiates and checks "hunches." It also discerns the prevalence of what may be less obvious or assumed in everyday experience. Generally, codes with few observations linked to them never found their way into this work. I write here, unless otherwise noted, about examples of what I observed most regularly in secure care.

After I had coded a few weeks of fieldnotes and several interviews, I chose to go back and read my fieldnotes from start to finish. Partly I did this in an attempt to become "unstuck" when I reached a point where coding seemed to produce few insights. Partly I was feeling bored with hour after hour of tediously coding seemingly never-ending pieces of text. The effort proved fruitful. I not only "relived" my field experience in a way that the people, their problems and perspectives came alive for me again, but I

also was able to see vividly the "path" that I walked with my fieldwork: how my perspectives about people and situations changed, how I gained rapport over time, how I had forgotten much detail about my perceptions and feelings. Reading my fieldnotes in their entirety enabled me to see patterns that line-by-line coding obscured. After the reading, I began coding again, this time more productively and informed by some preliminary insights that helped guide my analytic efforts.

In my fieldnotes and in my analysis, I tried to attend to the "narrative practice" of my participants: how they told stories, the resources they drew upon to do so, and the claims they made (Gubrium & Holstein, 1998, p. 164). I viewed their storytelling, in part, as a way that they, in a constrained environment like secure care, could produce coherence and diversity in their lives. Storytelling helped staff to frame for me (van Hulst & Yanow, 2014) juvenile-justice policy in the context of young lives, and it helped youth to frame for me their place in a system seeking to correct them. I also examined my participants' actions, taking the perspective that some part of what staff members were doing was aimed at dramatizing their work, making their work visible to me, either in the doing or in the talking (Goffman, 1959, p. 32).

The analytic work that I did after my fieldwork ended was primarily in pursuit of theoretical connections between different examples in my fieldnotes: making decisions about which themes would focus my work and how examples related to one another (Emerson, Fretz, & Shaw, 1995). I used a variety of strategies. Some analytic work was jotted in the margins of printed copies of selected codes, as I "asked questions" of my data, trying to consider "what is going on here?" and "of what more general category is this an instance?" (pp. 146 & 148). Much of my analytic work occurred with a pad of paper as I drew visual representation of relationships between codes, connecting them to examples in my fieldnotes. Finally, it happened in the process of editing excerpts and writing "around" those excerpts to tell a particular story. With all of these techniques,

the work sometimes produced moments of breakthrough insights, but mostly it was painstaking and slow, requiring care to "see" what was there and then to find excerpts that could be used in context with other examples to craft a coherent narrative.

Confidentiality Concerns

As mentioned earlier, confidentiality concerns have provided a longstanding focal point around which this work has been constructed. These concerns have permeated every aspect of my project from conception and design through fieldwork, analysis, and writing. I took a number of careful measures, both planned and *ad hoc*, to protect my research participants' identities. In the end, the only way to ensure full protection would be to not have taken on this project. I clearly have chosen a different path, but it is one that I believe expresses deep commitment to the lived experience and livelihoods of my participants.

I relied on many of the standard protections of social research: the deidentification of data through coded fieldnotes and interview transcripts; locked and password-protected data sets; the destruction of consent forms upon completion of the project; and a formal informed consent and assent[23] process. To my mind, these efforts at confidentiality, though significant and necessary, constitute minimal protections. Additional, and I would argue, more consequential protections were the ways in which I engaged my participants, the care with which I talked (or declined to talk) about my research sites with them, and the careful, repeated explanations to them about the nature of my study. In my interactions, I sought to learn about their discomforts, concerns, and interests about my research and to address them and adapt my research to them where possible without distorting my own process.

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[23] Assent is the corollary to informed consent for research participants who are under 18 years of age. Youth sign an assent form, and their parents are then asked to sign a consent form.

For example, my presence made staff members uncomfortable to varying degrees, sometimes causing them to second-guess themselves, to worry about my judgment, to wonder whether I had an "agenda" or if there was someone I was "out to get." Early on, I was called a "spy" by a case manager when I attended a meeting to propose interviewing some of them. Upon hearing these types of sentiments during the early phase of my research, my tendency was to be even more concerned about gaining access and whether I would be allowed to continue. My initial reaction was to justify myself and my research needs. What worked better was to listen carefully and to try to learn more about what motivated the concerns. Telling them that I had no hidden agenda was less helpful than stating my commitment to their confidentiality and articulating the protections I aimed to use to keep them from job action or other negative impact. Knowing, for example, that I would not use names and would try to mask identities calmed many fears.

When my presence made one staff person particularly uncomfortable early on, I altered my schedule to lessen the frequency of observing during his shifts. When we were both there together, I reminded him repeatedly that he could ask me not to listen to something or to leave the room and that I would not be offended. One way of dealing with confidentiality on an individual basis, was to *not* observe in specific instances, or at least to provide that option. I eventually spent *more* time with this particular staff person, as part of a concerted effort to understand what he did, his thinking and his perspective – an effort that I believe he came appreciate rather than perceive as invasive. These measures had two important effects. First, they built a sense of trust with my research participants that helped our subsequent encounters and made the research process more enjoyable and less tension-filled. Second, they helped to develop my understanding of my participants and their concerns in ways that would better enable me to protect them in my subsequent research decisions.

Three other things helped to protect my research participants. First, several years have passed since my observations occurred. In that time, significant staff movement occurred. Both facilities now have different administrators and supervisory staff. If not all of the line staff have moved to other job locations, considerable turnover occurred. Due to significant change in the agency's operations, many of those I observed no longer work in secure care and some no longer work for JJS.

Second, I conflate some things in my descriptions for the purpose of masking locations and people. For example, I do not provide detailed descriptions about the two observations sites. Doing so would clearly identify them for any reader with local knowledge, making it easier to discern which staff members I observed. I write about a single, composite cottage and adapt what I observed to this cottage, mentioning differences between the two observation sites only when they are relevant to my argument. I made this choice in part because relative to the arguments I make in this dissertation, the issue of physicality is comparatively minimal. I think there are important arguments to be made about the impact of physicality in secure care as there are in the history of corrections generally (Foucault, 1979), but those are not the ones I offer here. I maintain as much original detail as possible in the specific interactions that I describe, making changes only when I believe that identification is at risk.

Finally, I created composite characters to convey what I observed. Composite characters allow me to blend people and settings intentionally in order to make it difficult to discern the people I was observing and when. I chose this route in order to place doubt in the minds of my readers (especially those within the juvenile-justice system) about the people I observed and interviewed. Such a decision is not ideal, but it was a necessary one. My primary concern for my staff member participants is about job safety and security, not an abstract concern about privacy. From the beginning of this project, I talked to staff about working to prevent job actions being taken as a result of

this dissertation. I did see a range of work conduct while I was observing that was more and less laudable. I saw some violations of explicit policy of one type or another. But in this dissertation, I am not interested in violations of policy per se. I am interested in understanding how staff members work to express policy, to materialize it in the context of secure care. Further, I feel a longstanding commitment to the work that these staff people do: its importance and its difficulty. I want to improve the juvenile-justice system for youth and those working within the system; I do not seek to harm them.

Composite characters are perhaps most commonly used in ethno-theater attempts to dramatize research conducted through participant observation and interviews. As Saldaña (2011) notes, "interviews (and, to some degree, participant observation field notes) can become the primary source material for performance adaptation or *dramatization* by a playwright" (p. 17). A composite character refers to a character that consolidates similar themes or stories across different participants yielding "a fictional creation that nevertheless represents and speaks the collective realities of its original sources" (p. 17). The work of playwright-performer, Anna Deveare Smith, (1997) epitomizes this approach.

In sociology and social work, three studies use composite characters to convey ethnographic findings. Ruiz (2010) tells a story of nontraditional female college students using a single composite character. Guillon's (2013) study of natural gas drilling in a Texas town also creates a single composite character. Upton-Davis (2015) studies women who live intentionally apart from their intimate partners and uses a "composite story" built on interpretive ethnography and interviews to convey her findings. My use of composite characters is similar in the attempt to convey an insightful, credible account of what I have learned across multiple participants (and, in Guillon and my studies, settings), but it seeks less uniformity insofar as I rely on multiple composite characters to show the importance of interaction in secure care and yet still seek to protect identities

through the composite character device.

The choice of composite characters raises several concerns, both for me, as the researcher, and for my readers. First, there may be a tendency to perceive my characters as stereotypes because I have constructed them based on the common features shown by multiple staff members. A second, and corresponding risk, is that composite characters may flatten and dehumanize the very people I try so hard to represent accurately. Finally, the very idiosyncratic behaviors and quirks of personality that I claim are essential to their identities and that contribute substantially to their interactions are stripped from their "selves" in the composition process. In the end though, this dissertation seeks to describe *patterns* of interaction from which conclusions may be drawn and recommendations offered. My work does not seek to provide eyewitness accounts, for example, that could stand up in a courtroom setting. In places where the clarity of findings is impeded by my use of composite characters, I try to make that fact explicit in my analysis. Tables 1 and 2 provide lists of composite characters and some identifying characteristics about them for staff and youth, respectively.

Given my use of composite characters and sources of evidence, a note on my quotation style is in order. Quotations taken from interviews are verbatim as are my quotations from textual artifacts. Bracketed information indicates information changed from the original quotation (e.g., composite character names). Interview quotations are not only attributed to a composite character who is intentionally someone other than the source participant; occasionally I also give a single participant voice through more than one composite character. Quotations originating from my field notes, since I constructed them without the assistance of audio recordings, are approximate and my best recounting of the dialogue as prompted by field notes. For narrative fluency, I have inserted quotations marks in these excerpts, but I acknowledge the distance from the verbatim interview quotes.

TABLE 1. Composite Staff Characters

Staff (in order of appearance)	Composite Characteristics
Ana	• Treatment-emphasis • Relational approach • Nurtures youth • Focuses on role modeling (mother) • Likes consequences that hold • Listens to youth • Notices the impact that youth have on staff • Perceived as a legitimate authority figure
Mike	• Treatment-emphasis • Relational approach • Focuses on role modeling • Lacks follow-through • Seeks consistency of actions & outcomes among staff • Has street credibility with youth
Jordan	• Provocative approach • Teases/mocks youth • Lectures youth • Focuses on reputation (“alpha male”)
Kimball	• Consequence-based, “correctional” approach (“tough staff”) • Focuses on role modeling (coach), one-on-one interaction • Seeks consistency of actions and outcomes by staff person • Has street credibility with youth • Perceived as a legitimate authority figure

TABLE 2. Composite Youth Characters

Youth (in order of appearance)	Composite Characteristics
Armando	• "Poor" school rating • Religious front • Strong connection to Kimball
Braden	• Drug charges • "Criminally naïve" front • Manipulates phone calls • Stalking girlfriend • Attacks staff
Marco	• Gangs • Stabbing incident • Experience in isolation • Street respect focus • "Stays too long" in secure care
Zach	• Let out of room after skipping school • Teaches researcher how to play Connect 4 • Relational problems with mom • Strong connection to Ana
Isaiah	• "Oscar award winners" epigraph • Traumatic brain injury • Unexpected "limited freedom" comment • Hates staff • Goes to adult system on transition
John	• Leaves secure care at beginning of study • Self-perceived criminal identity • Transition fear • Completes transition successfully
Glenn	• Drug charges • Relational problems with mom • Middle-class identity • Transition fear • Returns to secure care on transition
Carlos	• Gangs • Returns to secure care on transition • Reactionary to hardline approach • Experience in isolation • Transition to adult system • Gang member identity

Identity and Reflexivity

This dissertation works from the assumption that there is no neutral, objective (and thus disembodied) way to write about, or even to see, the subject of my research. As Emerson, Fretz, and Shaw (1995) point out, ethnography "does not simply mirror reality but rather creates or constitutes as real in the first place whatever it describes" (p. 213). I approach the words and actions of my research participants as their mediated accounts of their secure-care experiences, as a constitutive dimension of reality. Like them, I too had to make sense of what I saw and experienced. Also like them, I did that sense-making using my own personal ways of knowing: my experience working in the criminal and juvenile-justice system, my knowledge of the literature (even as I tried to "bracket" that knowledge during my fieldwork), my understanding of ethnographic methods, and my tacit knowledge both that I arrived with at the site and that developed while I was in the field. I thus started with a situated self, entered the field, made research-related decisions, and engaged my own sense-making process. Arguably more than in other research methods, the role of the ethnographer is implicated in this process insofar as "the ethnographer's self becomes a conduit of research and a primary vehicle of knowledge production" (Shehata, 2006, p. 246).

Reflexivity is a mark of trustworthiness in an interpretive study insofar as it provides the reader some way of assessing the quality of the research conducted (Schwartz-Shea & Yanow, 2012). This chapter aims to provide the transparency necessary to make that assessment – both in terms of my research process and my role as a researcher. In some ways, what differentiates my reflexivity from the reflexivity that all ethnographers face is that my reflexivity examines the very identity issues that focus my research. The overlap, between *what* I researched substantively and *who* I am as a researcher, increases the relevance of reflexivity. Perhaps we should not be too surprised about this overlap. Emerson, Fretz and Shaw (1995) note that "in training the reflexive

lens on ourselves, we understand our own enterprise in much the same terms that we understand those we study" (p. 216).

Positionality

In this research project, my positionality, in particular my professional background, had an impact on what I saw. It had an impact on my participants. Nearly 20 years ago, I worked for the court system, and the work provided knowledge of the justice system that informed my research. For several years prior to my fieldwork, and also *during* my research,[24] I was a parole board member for the YPA. Jointly with my YPA colleagues, I made decisions about treatment plans, resident progress, and release from secure care. Although from my perspective, YPA service was a volunteer role that I began when I had very young children and could participate in the justice system only in ways that required a small investment of my time (10-20 hours/month), it was also a position of power and prestige, one with enormous impact on the lives of secure-care youth and the staff that provided services to them. In other words, when I began my research, *everyone* who worked with youth in secure care knew me or knew of me.

In fact, in the months prior to my fieldwork, I made a few YPA decisions that affected secure-care youth who eventually came to be in my study.[25] One youth in my study had appeared before me for a progress hearing in the weeks before my arrival to

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[24] During my research, I stopped conducting YPA hearings in the secure-care facilities where I observed. In other parts of the state, I continued to serve so as to minimize the disruption of my research on the YPA that would have been short-staffed if I had stopped my service altogether. This decision was made in collaboration with JJS administrators and the agency's institutional review board. During my time in the field and after, I recused myself whenever a case related to my study came before me (e.g., a sibling of a research participant).

[25] Based on the guidance of JJS administrators, YPA staff, and institutional review board representatives, I chose the following two procedures for handling conflicts of interest between my research and my YPA service. First, during my fieldwork, I did not conduct hearings at the facilities where I observed. Second, once a youth enrolled in my study in any capacity, I recused myself from any future participation in hearings for that youth. Shortly after the completion of my research, I resigned from the YPA.

secure care. At the hearing, I gave him a special treatment assignment to complete before his next hearing. During my observations, he showed me his completed assignment, and we discussed it in cottage instead of waiting months for his next YPA hearing.[26] With two other youth, the prior contact was less benign. One day, as I was leaving the cottage for the day, a resident asked me if I would let him out today if I was on his parole board. I considered it for a moment. Then I told him "no." His face hardened in response, but we did not have time to discuss it. The next day, we talked about it while playing cards together. He admitted to feeling anger and disbelief that I would not release him. He chose that moment to remind me that I had given him more time to serve when I had seen him in a past YPA hearing. I had forgotten. Another youth sitting nearby piped up and said, "You've been at all my hearings but one. You've locked me up and rescinded me." I told this other resident that I remembered letting him out on transition to parole. He follows up saying, "You let me out and then you rescinded me." I had forgotten this too. It was an awkward moment, one that forced me to reckon with how much anger some of these boys might have had toward me even before I arrived to observe and how much I had already had an impact on their lives.[27] Had I recalled my YPA decisions about them specifically when I had first entered secure care, I might have been less optimistic about establishing rapport with these two boys. As it was, in both cases we established a decent connection, and they each made different decisions about how much and the types of interaction we would have.

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[26] Of course, since this youth was now in my research study, I would no longer see him in future YPA hearings. He would have simply shown his assignment to my YPA colleagues who presided over his next hearing. In fact, even if I had not been doing my research, there would have been a significant chance that I may not have presided over the hearing due to how calendaring of hearings occurred.

[27] In JJS, this moment would be one where a staff person (standing in my shoes) might say something like, "Hey, that rescission was all on you! It is what *you* did on the outs that got you rescinded," drawing the attention to the actions of the youth and his *accountability* for his actions (see Chapter 5) and simultaneously, and not insignificantly, drawing attention away from the staff person.

After my fieldwork was complete, I was hired by JJS as a private consultant in its early-intervention programs.[28] The exact opposite end of the juvenile-justice system from secure care – serving younger, first-time or early offenders – early intervention serves a different population of youth in an after-school, nonresidential program. There, I encountered staff that I had known in secure care, staff that had transferred from secure care to early intervention. Some of my consulting time was spent providing training to staff, including some of my research participants. Thus, even after my fieldwork was complete, my contact with staff continued, even sometimes with the same staff members that were in my study. Although the continued contact with staff and with JJS did not affect my fieldwork directly and I have tried to keep the experiences separate, it would be impossible to say I have learned nothing from that ongoing exposure.

From the beginning, navigating my observation experience called me to make sense of my power and privilege in this setting and to make decisions that acknowledged my positionality. These decisions might be characterized as wagers insofar as it was often difficult to predict precisely how they would influence the setting. Some youth wanted to get to know me better because I was someone with power. Others saw me as "the enemy" and wanted little to do with me. Staff members were similar. With some of them, I sensed that they were often working hard to make a good impression. With others, I sensed that they wished I would just go away. And some seemed perplexed by my interest but open and willing to allow me into their worlds. In all cases, months of ongoing interactions influenced how we came to view one another, sometimes demonstrating the ability of interactions to achieve new terms on which to ground a relationship or at least partially so.

[28] When I accepted the consulting work with JJS, I resigned from the YPA.

Power and Control

One of the important reminders offered by the experience of entering secure care while holding a position of authority is that power affects what you see. Pachirat (2009) calls this difference "lines of vision," citing the vertical versus horizontal lines of vision that were available to him in the different positions he occupied at the slaughterhouse, the site of his ethnography. Because of my role on the YPA, the only mode of entry available to me for this research was official access. This line of vision was vertical, and it affected what I saw. If part of my goal was to gain access to the hidden transcripts (Scott, 1990) of staff or youth, I would have to gain a more horizontal line of vision and come to be seen differently. Trying to make this transition was one reason I chose to defer to staff in negotiating my level of participation in cottage, as I mentioned earlier. It is also why I spent a lot of time talking to staff about nonwork-related topics. I wanted them to see me as a person not as a YPA member, a person that may not have been so different from them.

In interesting ways, power was *not* concentrated in me in secure care. Although I was vested with a type of formal power, in some ways it was not a power that had much relevance in the day-to-day activities of secure care. It is true that I downplayed that power as much as I could, but paying attention to power helps one to see its operation. Power came to my attention in my first days in secure care, when everything was new to me. When the doors locked me into spaces with youth that I did not know, I sometimes considered that my personal safety might be dependent upon staff. I sometimes wondered if I trusted them, and I am certain they wondered whether to trust me. In many ways I had entered a setting where I was definitely not "in control" of what was happening. I did not know secure-care routines. I had to ask to use the restroom, get doors opened for me, and ask to be allowed to leave when I was done. My status was unusual: I was not like staff, with the privileges and responsibilities that came with the

job. I was not a resident with the myriad rules and physical constraints working to control me. I was and felt vulnerable to the power of others, to my own lack of knowledge about how best to function in this new environment. And even while I was figuring out my own functioning, I needed to observe how others functioned in it.

Staff members too, even as they were vested with decision-making power in secure care, felt vulnerable and a loss of some control, made more pronounced by being observed. Some staff members respond to the feeling of vulnerability (both generally and in being observed) by trying to control more closely the behaviors of youth. For example, one staff person made the decision that when boys left the showers while I was observing, they had to put their shirts on before walking back to their rooms. As one boy informed me, they needed to be more proper while females were around. When I asked about the female staff person on shift, I was told "well, she doesn't really count." This unilateral decision by a staff person resulted in some quiet laughs that I shared with youth over his attempts to implement it, but ultimately it changed very little behavior. Of course, there may be other ways that staff influenced youth to behave in certain ways in my presence that escaped my notice. But the attempt to control signaled the vulnerability felt by staff at the hands of unpredictable youth.

Two issues about power and control are relevant here. First, power is situational (Kanter, 1977). As I describe in Chapters 6 and 7, sometimes cottage life causes it to feel like youth are in the "power seat," making decisions that dictate what occurs in secure care. Staff then struggle to regain control of the cottage. At other times, youth feel extraordinarily powerless in the face of staff members who wield the keys and the decision-making authority that can swiftly alter their standing in cottage. During my observations, despite my position of authority, I came to feel often that I was vulnerable to the actions of others particularly in the early days. Power circulated and changed depending on situations and interactions. Second, because changing power relations

could alter what was available for me to see, I had to pay very close attention to my "presentation of self" (Goffman, 1959). In other words, because of my positionality, I had to pay attention to myself in the same ways that I was watching others.

False Dichotomies: Insider/Outsider, Observer/Participant

Was I an insider or an outsider? Was I an observer or a participant? Being an insider or outsider doing ethnography has fueled considerable debate among scholars about the neocolonial, feminist, and epistemological implications of being one versus the other (Pierce, 1995). The associated ethical issues and advantages and disadvantages of being an observer or a participant also divide ethnographic scholars (Neuman, 2006). As is true in most debates, the supporters of various positions have staked out claims like turf, and yet my experience of occupying those roles was far more fluid and less dichotomous than these debates suggest.

For example, I assumed I would be an outsider in my research insofar as I was not taking on a formal staff role during my study. I did not suppose that my YPA status would cause me to feel like an insider with secure care staff or youth. And although I was mostly right, I was surprised by how staff often worked to make connections with me *as an insider* by telling me stories of people, staff or prior residents, that we had in common. They were calling on shared experiences, whether I recalled them or not, usually to demonstrate a point during our conversations. They were not only framing a situation for me (van Hulst & Yanow, 2014), they were *including* me in that shared vision. There were times when I couldn't recall the person in question so couldn't understand their didactic purpose, but in those moments I very often felt grateful for the gesture of inclusion. I was not an insider, nor was I a complete outsider. And sometimes, for brief periods, I was even allowed to feel that sense of belonging that can help to put a person a little more at ease.

Although I started largely as an "observer," as mentioned earlier, I came to take on more "participant" roles as time went on. Having gained, to a certain degree, the role of "staff" or "just like staff without keys," was a status of value. A change in my status altered what was available for me to see. Many conversations between staff and youth are private, as they talk through treatment issues and daily frustrations. There was no way, as an observer, I would have been able to insert myself into these situations. Certainly, I found myself serendipitously located within hearing distance when encounters took place, but these situations were relatively rare. As Schwartz-Shea and Yanow observe (2012), "the primary justification for participation is that it enables researchers to learn more about participants and their relationships to the subject matter of the project, including their activities and ways of thinking about all of these, than they would know without it" (p. 64). When youth interacted with me "as staff," it gave me insight into the interactions they routinely had with staff, something that I could reference when I did view encounters between staff and youth. As a participant, I was the instrument through which my observations were made. For this reason, in the chapters that follow, I try to be explicit about when I use my experiences to inform my conclusions and when I am recounting what I observed between youth and staff.

Another way of thinking about this change from "researcher" to "just like staff" is that my participants' understanding of my identity changed over time. It changed not just because my participants came to know me better, although they did. It also changed because my participants were always "reading" and reacting to my presentation of self. As Shehata (2006, p. 258) observes, the ethnographer's identity is *negotiated* within socially-produced and contextually-defined limits. For instance, the most common compliment I received during my observations was how important and rare it was for "people like you" (e.g., people with decision-making authority) to come to secure care and listen to youth and staff. This "reading" is only one of many possible interpretations.

It achieved some salience because my participants took an active role in negotiating a secure-care identity for me that was viable for us all.

In negotiating my participation, I had to be reflexive constantly: thinking of how my participation shaped what I could see and how I was seen. I tried to help out in ways that were as "ethically neutral" as possible (e.g., archiving file folders into boxes, moving tables and chairs). I never ran a treatment group, for example, something I do not have the necessary background or training to provide. I did, however, share with youth cultural experiences from my own upbringing to provide contrast and exposure to their own lives and traditions. Yet another way of thinking about my participation is that it helped to engender participants' greater trust in me as a researcher (Schwartz-Shea & Yanow, 2012, p. 65). It demonstrated that I was not afraid to participate and that I was not there just to judge but to "help." My silent observation tended to unnerve those around me, and it was only through participation both casual (e.g., informal conversations with staff and youth) and more significant (e.g., "helping" by doing routine tasks, talking to and "processing" with youth, giving my opinion to staff when asked) that they came to see me as someone seeking to learn from and understand them; for a similar observation about silence, see Allina-Pisano (2009, pp. 57-59). In the end, the comparison between pure "observation" and "participation" seems like a theoretical distinction. In my experience in this setting, the dichotomy was instead two endpoints on a continuum on which my place somewhere near the middle was fluid and interpersonally negotiated.

"Experience-far" and "Experience-near" Concepts of Race, Class, Gender, and Religion

Race, ethnicity, class, and gender matter in secure care because they form important, though not impermeable, bases for how people interact with one another.

They also demonstrate this study to have national relevance. In terms of ascribed, "experience-far" (Emerson, Fretz, & Shaw, 1995) characteristics, 69% of the observed youth in my study were youth of color. All the residents were boys. Nationally, 68% of all youth in residential placements in 2013 were youth of color and 86% were male (Office of Juvenile Justice and Delinquency Prevention, 2015). As mentioned earlier, in 2011 when I conducted my research, 9% of secure care youth were girls.

In contrast to the youth population, about half of the observed staff in my study were people of color. Roughly 20% of secure care cottage staff tend to be females, although 25% of the observed staff in my study were female. The cottages I observed were supervised by either a woman or person of color. And across the 12 supervisors I interviewed in JJS, 33% were women and 25% were minorities.[29]

Unlike many prison or juvenile-delinquency settings, in JJS there is not as marked a disparity between the proportion of people of color who are residents versus staff (see Schwirtz, Winerip, & Gebeloff, 2016). Generally speaking, the Division of Juvenile Justice Services has a long history of seeking a diverse staff in terms of race and ethnicity. As a result, its level of staff diversity exceeds rates in the U.S. population and the Utah population, though the proportion of staff of color is not quite equal to that of residents of color in secure care. The workforce diversity lessens as one moves up the chain of command, although there are more women in JJS administration than people of color. Since 2005, JJS has been led by a person of color. The division director is also, as I write this, a woman.

One of the first ways that I noticed that race, class, and gender mattered concerned my own entry into secure care and how people in the setting responded to me. In other words, "experience-near" concepts (Emerson, Fretz, & Shaw, 1995) affected how

[29] At the time of my field work, there were 14 secure care supervisors in JJS. I report these statistics separately instead of together (e.g., reporting the percentages of women of color) in order to protect the identities of those in my study.

I was viewed in the field both initially and over time. Gender may have been the most initially salient concept. I was "a girl," a fact not lost on these adolescent boys. Female staff members are less common than male staff with only one or two female staff per cottage. I was an added female in the severely constrained lives of these boys.

There were a couple different ways that my femaleness played out in cottage. First, my presence could become sexualized. One secure-care youth responded to me by regularly complementing me on my appearance or talking about my clothing. Another youth always put his hand down on the couch seat before I sat down, perhaps hoping I would not see it and sit where he could "accidentally" get some physical contact. Another resident was on *security*, and when we talked about it, he said that it was because he made an "objectifying" comment about someone. I was not able to confirm that it was about me, and it easily could have been about someone else. It was early on in my observations, however, and my field notes discuss the physicality of secure care and note that I suspected the security consequence may have been the result of staff trying to influence how youth interacted with me.

Second, my gender caused me to be perceived as another potential "mom" figure in the lives of these boys. Some boys rejected this role. Once when a boy had hurt his ankle in gym and was on crutches, I tried to help him manage his dinner tray and was assertively rebuffed. Others actively sought out contact, wanting to talk to me about personal things, seeming to seek nurturing in the form of attention and conversation. Some wanted help with their homework or advice about future plans or to discuss strategies for talking to their own mothers.

Every day that I was in secure care I felt my educational and economic privilege. I had more formal education than anyone in the setting. Multiple events spoke to my privilege. When I went on vacation that year, I discovered that I was heading off to a place that no one in the cottage (youth and staff) had ever been to before but most

wanted to go. A staff member, upon seeing me park and get out of my modest Mazda one day, remarked, "Funny, I had you pegged as driving an Audi." When I talked about living "downtown" in response to a youth's question, the youth responded with great interest saying he lived downtown too. The same staff member quickly chimed in, saying, "When she says downtown, she doesn't mean the same downtown you mean!" The boy was disappointed, but the staff member was right.

Class was a divide that was sometimes hard to bridge. And yet there were significant class divisions *among* youth residents. Although most residents were raised in poverty, one resident came from a surprisingly middle-class background. He worked hard to connect to me by making reference to consumer culture[30] – local restaurants, shops, brand names. And there were youth that were poorer than others. For example, the quality of the food in secure care was a near-constant complaint by many youths. Having noticed one youth that never complained about the food, I decided to ask him about it. He shrugged and said he was "raised poor" and there often wasn't much food around. "Food is food. It's there. I eat it," he said.

Race and ethnicity were strong but not stable experience-near concepts in secure care. Latinos are Utah's largest minority population in secure care. Along with African Americans and Native Americans, they are strongly overrepresented in secure care compared to their presence in Utah's youth population overall. Race and ethnicity were grounds for interpersonal connections made in secure care. But race and ethnicity competed with gang affiliation for the primary allegiances and connections between youth. Sometimes gang affiliations ran true to race and ethnic lines, but surprisingly

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[30] In this dissertation, I refer to "culture" in terms of consumer culture, street culture, and democratic culture. Merriam-Webster dictionary offers a relevant definition: "the customary beliefs, social forms, and material traits of a racial, religious, or social group; also … the characteristic features of everyday existence (as diversions or a way of life) shared by people in a place or time [such as] popular culture or Southern culture." There are more precise, academic uses of culture, such as 'organizational culture', none of which I intend to invoke here.

frequently, they did not.

Entering this kind of setting, I wondered how I might be perceived, being a fourth-generation Asian American. Although race did not come up frequently, when it did, it often presented itself in a particular way. To boys of color, I was "not White." To boys who were White, I was "not Mexican." Boys of different racial and ethnic backgrounds tended to think that I might have similar experiences to theirs, based on how they saw my skin color. Similar to Lin's (2000) experiences as an Asian American at her prison sites, the decisions boys made about me often involved appealing to perceived similarities. Race, ethnicity, and class all separated me from and connected me to youth and staff, sometimes in surprising and analytically-productive ways. One thing that was consistent was how those ways were always humbling for how they reminded me what was at stake: the experiential learning of youth as they negotiated relationships always imbued with power.

What I discovered in secure care was that race, ethnicity and class many times were experience-near categories insofar as youth used them to make connections and distinctions regardless of whether those distinctions held "on the outs." I could be "in" with Mexicans and other youth of color because I was "not White" or "in" with Whites because I was "not Mexican." There was constant slippage between categories, such that categories were always negotiated and negotiable rather than static. Interestingly, gender was inviolable. In secure care, I could never be anything but a "girl."

Finally, Utah is well-known for its religious difference, with Salt Lake City as the world headquarters for the Church of Jesus Christ of Latter-Day Saints (LDS). According to the 2014 Religious Landscape Study by the Pew Research Center, Utah ranked as the 11th most religious state in the U.S. (Lipka & Wormold, 2016). Although some may assume, as I did when I began this research, that religiosity would play a prominent role in delinquency treatment in Utah, I did not find this to be true.

Certainly, some staff were actively religious; of these, most tended to be either Roman Catholic or LDS. Many, however, were not. Youth tended not to be religious, sleeping through services when given the option, as long as additional food was not on offer. Armando's religious front (see Chapter 5) was the exception not the rule. In the end, I found religiosity to be an important but individual-level trait demonstrated in staff and youth. It, like the other personal characteristics and idiosyncrasies of staff, may have caused affinity or aversion between staff members and youth. However, none of my findings suggest that religion directly affected programmatic aspects of treatment.

Silences

In a secure-care cottage made up of just 10 to 15 boys and slightly fewer staff members (per cottage), my presence had a significant impact. I do not know, and consider it essentially unknowable, to determine precisely how I affected each of the sites. One constant puzzle may serve as an example of how my fieldwork pushed me to look critically at missing evidence or silences in my data.

During my hours of observation across the entire year of field work, a violent incident never occurred. There were, in fact, two stabbings and two or three fights among youth and a few "take downs,"[31] but they all occurred while I was not present. Some of them occurred in the school setting, where I did not observe, and sometimes they involved others not included in my study. But the important point is that I do not know why I never observed a violent incident. This *silence* in my data, a lack of observed violence, caused me to wonder many things. Were boys warned about their conduct

[31] A "take-down" is when staff have to "go hands-on" with a resident and use physical force to restrain him/her. If properly executed, no one gets hurt during a "take-down," but much occurs in these moments. All other youths are locked into their rooms or must stand by their doors. Staff members from other cottages may arrive to respond to the duress situation. Staff use their crisis-response training to handle these situations, but sometimes they and/or youth do get injured.

before I arrived? Certainly, this is a real possibility. Even if they had been warned though, it is not likely that these boys had the necessary impulse control to resist the temptations that occurred while I was around. Indeed, lack of sustained impulse control is a hallmark of adolescent development (Giedd, 2015) and a contributing reason that many residents find themselves in secure care. Staff may have also considered such a warning ill-advised, concerned about signaling their own vulnerabilities to youth. Or, they may have tried such warnings in limited ways: Consider the shirts-after-showering rule.

Although I cannot know the answer to these questions, my analysis was forced to reckon with them. For example, I tried to discern when things happened differently than when I was not around (like shirts-after-showering). I believe that some treatment groups occurred more regularly during my observations. I suspect that one of the facilities worked to implement a more ambitious facility-wide treatment group agenda because of my presence. Ultimately, only one of those treatment groups survived for more than 1 week: the Family Night group offered by staff members in the cottage I observed. I have no proof that my presence affected facility offerings. However multiple conversations with residents about it suggest that they did not experience it as a significant change in offerings.

The important point is that assessing what happened and did not happen during my observations was essential to my sense-making journey. Events caused me to check my own sense-making, to question what I was seeing, to ask more questions, and to keep thinking and analyzing as puzzles changed and emerged on the backs of others, until I could answer enough of them to come to a coherent understanding of what I had seen.

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As Pachirat (2009) notes, reflexivity, or "explicit attention to the role of the ethnographer in the ethnography," (p. 144) can be "a *productive and necessary* source of

reflection and analysis, rather than a shortcoming to be silenced or downplayed" (p. 145, emphasis in original). By thinking about things as I observed them and describing them in my fieldnotes so that I, as the ethnographer, could be seen and heard in them (Emerson, Fretz, & Shaw, 1995), I tried to make visible my own method, my mode of participation, and my impact on the setting. These techniques give the reader a way to assess my work, but importantly, it has also reminded me that I was *there* and thus needed to question what happened and what did not happen. I had to consider how I might be wrong about what I saw, wrong about my interpretation, and struggle to tell alternate stories about this context that might prove to be more accurate than the ones I originally assumed. That is to say that this ethnography is "inevitably and unavoidably mediated by the ethnographer's person, experiences, point of view, and theoretical priorities" (Emerson, Fretz, & Shaw, 1995, p. 215). But as Emerson, Fretz and Shaw point out, my experience, my point of view, and my theoretical priorities, indeed who I am as a *person*, were also shaped by my relationships with research participants and our interactions over many months.

I was not ever a "fly on the wall" in this ethnography. I never went unrecognized. I was a vested participant at times, especially in terms of how I felt about the fates of these youth and my connection to many of these staff members. I have struggled at times to find fair ways to represent what I saw because of those vested commitments. The passage of time has helped some in this regard. I expect that the results of my research, the examples I use and the descriptions of what happens "in the field" will be both familiar and surprising to my practitioner readers. JJS staff will likely see things here that make them nod (or shake their heads) in recognition and may ponder my different presentation of them. They may disagree about my conclusions. In the end, my interpretation is my own, the result of my own analytic process to understand what I heard from many different people and observed in more than one location over the

course of a year of fieldwork. Any errors that I have made are my own and not reflective of my research participants.

In the next four chapters, I outline the findings of my dissertation research. Some overarching themes help to provide structure to the chapters. First, my analysis proceeds sequentially through a youth's stay in secure care with Chapter 5 covering a youth's arrival to secure care, Chapters 6 and 7 dealing with the major portion of the youth's stay, and Chapter 8 covering his transition back to the community. Second, JJS's declared philosophy is based on the Balanced and Restorative Justice model (BARJ), which is described in greater detail in Chapter 5. BARJ has three main components: accountability, competency development, and community safety. Chapters 5, 6, and 8 focus on each of these BARJ components, respectively. Finally, each of the next four chapters deals with an aspect of my argument that I highlight within the structure outlined above. Chapter 5 addresses the impact of the interactions between staff and youth and their consequential nature for notions of accountability. Chapter 6 addresses the part that youth identities play in the provision and enactment of treatment regimens that seek to develop youth competencies. Chapter 7 considers secure care's impact on staff professional identities and on treatment effectiveness. Chapter 8 discusses procedural justice concepts and their relation to recidivism – a key component of ensuring community safety beyond the time period in which a youth is held in custody. Through imposing structure onto my argument, I aim to facilitate an appreciation of A) the arc of a youth's sometimes lengthy stay in secure care and B) the broad philosophical and policy goals of the agency. Given the detailed, microlevel encounters that I describe in the pages ahead, I have chosen this route to help bridge the levels of analysis involved and to help make the connections between what occurs at an interactional level and at a more systemic level, using the "both/and" approach cited earlier (Bacchi, 2005) and addressing the gap between discourse and lived experience (McNeill et al., 2009).

CHAPTER 5

"NEW 'FELLAS'": INTERACTIONS AND ACCOUNTABILITY IN SECURE CARE

> Neo-liberal and neo-conservative political rationales can be intertwined within not only the same penal regime, but also within the same penal sanction. In the criminal justice worker discourse of youth justice, the sanction of open custody, while officially considered a rehabilitation sanction, includes 'discipline', 'punishment', 'enterprise' and 'reintegration'. We maintain that the very existence of these different approaches toward young offenders in the local culture of punishment suggests that open custody, at the level of situated practice, is a volatile and contradictory social control sanction.
> ~ Gray and Salole, 2006, p. 677

A group of us are sitting on the heavy blue, upholstered couches arranged in a rough square in the cottage's common area. The day outside, seen from the large windows on the opposite side of the common area, shows itself to be a drearily gray afternoon in early spring. Inside it is warm and comfortable with industrial fluorescent lighting filling the spacious, if somewhat sterile, common area. School is over for the day, and the boys are eager to enjoy some free time. But right now, we are sitting and waiting. Some casual, brief conversations occur. One resident is wandering aimlessly about the common area, and a staff member is in the office with the supervisor. A tall, lanky resident stands near the study area where a bowl of fruit sits, contemplating an overripe banana as an after-school snack. Another staff person is standing off to the side with a resident, Armando, whose back is to the group with his muscular arms crossed and his head down. The staff person appears to be trying to help him recover from something that happened earlier at school. From my seat on the couch, I can hear

snippets of things she says, things like, "well, try to let it go for now…" and "after group, we might see if we can talk to the teacher…" Every so often the boy looks up at her, but mostly he stares downward and speaks in low, insistent tones.

Presently, the supervisor walks causally out of the back office, smiling. As he walks, he calls out, "Fellas! Group it up!" and sits down on the couches between two residents who quickly shove over to make way for him. Abandoning the uneaten banana, the tall boy vaults over the study area counter toward the couches. As he falls into a seated position on the couch, a staff person murmurs a mild reproach for the track and field move to which the boy responds quickly but dully and without eye contact, "My bad." The remaining residents and staff make their way over to the couches. It doesn't happen quickly. Armando and the staff person are the last to make their way to the group, and Armando has trouble finding a place to sit. A staff person prompts two boys to make room for him. The boys move, but their bodies demonstrate the involuntary character of their actions.

Every day after school, the youth gather to review their daily school ratings with staff and to talk about the afternoon's programming ahead. One by one the boys read their school ratings aloud. Today they have all received "excellents" or "goods" except for Armando. In one of his classes, he received a "poor," and when he announces this quietly, a staff person jumps suddenly up from the couch stating loudly and energetically, "That's an automatic early bed!" and goes to write "EB" with a flourish next to the resident's name on the white board which is located behind the couches.[32] The boy's face darkens and his whole body tenses. He manages to glance up to the staff person he spoke with before group. Ana says quietly, "Well, I'm going to take Armando up to school after group and talk to the teacher. It may have been a misunderstanding."

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[32] An early bed (EB) means that at a certain time, say 8:00 p.m., the resident must leave the common area and be confined to his room for the rest of the day, regardless of his usual bedtime.

The boy says nothing, just glowers at the floor. Yet another staff person says, "Getting a little excited there with that pen? Better put that down before everybody gets an EB from you today!" The supervisor announces, "Let's see what the teacher says." He thanks Ana for agreeing to take Armando back to school, and looks at Armando saying, "you okay if we move on for now?" Seeing a barely perceptible nod from the rigid figure to his left, the supervisor switches gears, and the standing staff person, leaving the "EB" on the board, tosses the pen onto the white board tray and sits back down.

"Fellas. Looks like we've got a new resident coming soon." All the residents except Armando look up. The staff members do not look surprised, but the energy in the room rises considerably. A few boys ask questions like "Who is he?" "What's his name?" "Where's he from?" The supervisor is slim on details saying that he thinks he might be 17 and that they might be drug-related charges. The boy is coming from detention, and they're still working out the transport. Everything he says about the boy seems vague. But the supervisor very clearly reminds the boys of the upcoming orientation process, saying one of them will be assigned as the new resident's mentor, that his room will be closest to the staff's office at first, and that it will take some time to get to know him. He prompts them all to think back to when they first arrived and what it was like getting used to the rules and life in a secure facility. He expects them to be welcoming and patient and to communicate with staff if there are problems. "Don't let it get out of hand before we can address it," he cautions them. "Feel me?" he asks. There are a few nods in the circle. "Armando. You feel me?" Armando, who is himself a relatively new resident, looks up and nods. "Good. Any questions?" No one responds. "Okay then. We're done." The boys jump up immediately asking questions of staff like, "Can I get something from my room?," "How 'bout a game of spades?," "Can I turn on the television?" Jordan, the staff person with the eager pen, announces loudly, "Five minutes! Then you're going down for shift change." Groans can be heard in the common

area as boys anticipate the upcoming time they will spend locked in their rooms, but no one seems to alter his activity.

A new resident, I learn from the boys and from staff, is a big deal. As I observe in the weeks ahead, it has the potential to upset the balance of cottage life, changing dynamics, upsetting schedules, and putting everyone on edge. As one staff member put it, "It's really interesting the dynamics that the kids have with each other. And the dynamics the whole center goes through [as a result], the [way it affects] shifts and stuff. One kid can come in and just cause an uproar." New residents might be new to secure care, but they may already have long histories with some of the current residents. They may have crossed paths in a past program (e.g., a group home or an early intervention program) or on the streets. The new resident may be a childhood homie or a rival gang member. A new resident might be someone with whom a current resident will have persistent (hidden or observable) conflict in the weeks ahead or someone who may develop into a new friend and ally, someone to talk to through the electrical outlets or toilets of adjoining rooms during the long nights of their lives "locked up."[33]

For staff, a new resident means watching for all these dynamics with a cottage's youth and yet doing so from a distinctly disadvantaged position. Early on in my observations, I learn from Ana that a lot happens in the facility without staff's knowledge because staff never know everything about a youth's background. Sometimes two youths share some bad history but wait until they see each other in secure care to get even. What looks like a normal school day to staff can suddenly, for no obvious reason, turn violent when an old grudge comes up for payback. Also, there is much about gangs and gang life that staff members, despite training, are unable to know and track accurately. Finally, as multiple JJS employees point out to me over time, living in close quarters

[33] I learned from boys that this was one way they held conversations with one another, built alliances, supported one another, and passed the time.

with 10 to 15 adolescent boys in a rule-laden environment where one's conduct affects the day-to-day life of the group would challenge the behaviors of the heartiest among us.

Staff members must also concern themselves with the new resident specifically. They have a new youth to get to know. There is much to assess – family situations, offense history, treatment issues, restitution needs, school and medical concerns. In the weeks to come, a youth's treatment plan will be decided by the Youth Parole Authority, but it will be based, in part, on an assessment by staff.

This chapter demonstrates how secure care interactions are the constitutive material out of which policy and treatment practices are implemented. In doing so, it makes use of two extended examples in a secure care setting: the assessment of newly arrived residents and notions of accountability. In what follows, I first demonstrate how it is *in the interactions* in secure care that staff make assessments of new residents, interactions that rely on an intersubjective framing process to achieve a sometimes precarious and always political assessment. I then introduce the formal statements of accountability – a key component of secure-care treatment philosophy – contained in official juvenile-justice documents. In the second example, I show how accountability is enacted and interpreted in the context of interactions that occur between and among staff and youth. Rather than a freestanding philosophical approach to service provision as it can appear in formal articulations of policy, I demonstrate that accountability relies on human interactions to yield meaning in particular contexts, to affect the lives of staff and youth, and ultimately, to express policy.

New Residents and Initial Assessments

When a new resident arrives at secure care, a period of uncertainty begins along with a process of assessment. One might characterize that assessment as a period of observation that also includes, to some degree, a review of the youth's file. The file often

contains an offense history, a list of a youth's prior programs, risk assessment summaries and, sometimes, psychological testing results. Observation might include watching the youth in the group setting and getting to know him one-on-one. At the end of the observation period, staff might then draw conclusions about a youth and make treatment plan recommendations to the Youth Parole Authority at an initial hearing that occurs within the first 2 months after arrival. This characterization likely would not be contested by those with knowledge about secure care processes, but it still masks important temporal and interactive aspects of the assessment.

A more accurate characterization of the observation period would be a period of ongoing contestation and struggle, a political process where staff and youth cooperate and compete to frame an assessment of a particular youth. It is a set of intersubjective processes whereby all try to make sense of the new resident, including the new resident himself. The process of sense-making "emerges out of the process of social interaction" (Jeong & Brower, 2008, p. 241). Each participant works both consciously and unconsciously to achieve and project a particular framing of the situation. Additionally, the characterization provided above, done for the purposes of treatment plan development, artificially emphasizes the ending of the assessment period. Assessment periods are marked by obvious beginnings – a youth's arrival – but they are less obvious in their endings. Artificial endings are imposed by deadlines – reports with recommendations due to the Youth Parole Authority, staff meetings, level- system ratings – but the lengthy duration of secure care confinement[34] means that assessment is, on the whole, ongoing and adaptive up until the youth's release back into the community.

In the next three subsections, I describe first the new resident's impact on the

[34] The average length of stay in secure care is around 9 months (Utah Division of Juvenile Justice Services, 2015). Very few residents stay less than 6 months.

assessment process, then the impact of staff members, and finally the impact of other residents in the cottage. I overemphasize the unitary nature of these impacts for analytic purposes. As should become obvious, the interactive events upon which assessments rely often overlap or even occur simultaneously. Having imperfect, even questionable, information on which to base an assessment is standard. The results of such assessments are thereby often precarious and difficult to predict, but they most often have the effect of moving staff towards a temporary equilibrium that can hold at least for the present.

A Presentation of Self

I see the beginnings of the interactive assessment process when the new resident, Braden, arrives. He is, as the supervisor said, 17 years old. His light brown hair, not yet cut to the required institutional length, looks brittle and unkempt. Braden is tall and gaunt with dark circles under his eyes, pale skin, prominent cheekbones and hollowed cheeks. As he walks past me on his way to the couches, I see that his uniform clothes hang on him, and I think that he looks strung out and ghost-like.

Out loud, I say, "He looks tired." A staff person, Kimball, and I are sitting together as we watch the boys watch a movie in the common area. "He's been waiting in detention (DT) for two weeks," says Kimball. "He's still coming down. It may take him a couple more weeks maybe longer. They caught him with over 70 balloons of cocaine, some of it mixed with heroin, though he told Ana he doesn't do drugs." Kimball eyes smile at me and he continues. "All he's done since he got here two days ago is sleep. We'll get him healthier while he's here though. It's amazing how these guys do physically while they're here. Regular meals, no drugs, daily gym time… You watch." I do watch, and Kimball is right. There is much about Braden's appearance that would change over time. After a couple of months, Braden regains his color; the dark circles disappear from

under his eyes; and his hair looks less straw-like. He puts on weight so he looks stronger and more energetic. But today, in addition to looking tired, he looks guarded. It isn't obvious whether he already knows any of the other boys, but he looks to me to be most uncomfortable around staff.

I introduce myself to Braden after the movie ends. He doesn't say much to me. Later, I suspect he asks some other boys about me because they look over at me while they are talking. I see them and smile, and my smile unnerves only Braden who looks away awkwardly. A few minutes later, Braden sits down by me and says, "They got me for distribution." I nod. "But I wasn't selling or nothing. I was just carrying a package from one person, a guy I worked for, to the next." "Just transport," I summarize. "You weren't selling?" "Nah," Braden says, "And I was only working for him for a little while, about a month. I needed a job. He was some Mexican dude." I also learn that he needed money because his mom was sick. We sit silently for a bit. I ask, "How does it feel to be here so far?" He looks at me, hesitates a bit and says, "Weird. I've never really been in a place like this before." "Really?" I ask. "No other programs?" He says, "No. Not really. Well, DT." He gets up and wanders off. I think to myself that youth seldom make it all the way to secure care without having already completed a few other programs.

During his early days in secure care, Braden worked, seemingly consciously, to present a certain image or *front* for staff and for me. Braden's front attempted to portray him as criminally naïve, even innocent. When I heard that the underwear his parents had brought him had to be returned because the elastic waistbands were red and green, colors associated with gangs, he offered that he knew nothing about gangs and thought red and green were "Christmas colors." When a violent incident occurred in school, he implied that he was so unnerved by it that he had to "breathe into a paper bag" to help calm himself down. Of all the youth I had contact with in my study, Braden was the only one to mention sexual contact between residents and the intimidation he felt when they

allegedly said to him, "come here and let me fuck you." These incidents contributed to Braden's dramaturgical presentation of self.

Braden's framing efforts are characteristic of new residents, although the content of the frame itself can vary considerably. Armando, who was the newest resident when my observations began, also offered a notable presentation of self. Armando prayed lengthy and conspicuous prayers before each meal, vocalized his religious beliefs with disarming depth and knowledge, and woke energetically and diligently for church each Sunday while many other boys slept. Perhaps Armando and Braden shared a goal of showing themselves to be boys that did not really belong in secure care. By contrast, another resident in my study arrived posturing about the extent of his gang involvement, going so far as to make up a gang name, in order, he later admitted, to look tougher.

Interestingly, secure-care participants (youth and staff) use the word *front* to describe this presentation of self, a term coined by Goffman (1959) in his account of the dramaturgical work of human interaction. In secure care, it is called "putting up a front" or the act of "fronting." A common front might portray badness or toughness or a gang mentality, or in the case of Braden and to a certain extent, Armando, innocence. I learn from residents that once up, a front should not be dropped "or it says something about you." What these youth mean is that to drop a front shows you to be a fraud, not really bad, not a real gangster, not a real criminal. In other words, a dropped front reveals the existence of a back region. For Goffman, *front* is "that part of the individual's performance which regularly functions in a general and fixed fashion to define the situation *for those who observe the performance* ... the expressive equipment of a standard kind intentionally or unwittingly employed by the individual during his performance" (p. 22, emphasis added).

Despite my portrayal thus far of youths' efforts at framing, a new resident's attempt to frame his *front* is not a fully conscious effort. Like all youth entering this

situation – a long-term secure facility for the first time in his life – Braden drew on whatever prior knowledge he had: his prior experiences in juvenile-justice programs, rumors he had heard about secure care, things staff told him during his transport to secure care or that he learned in detention. He relied on "raw data" from sights, smells, sounds, feelings, impressions, and expectations he had as he proceeded through intake and was taken into his cottage. For example, various youth talked with me about the formative impact of hearing the door to your cell close and lock behind you and of its power to affect your behaviors. Braden processed all of this data, much of it without conscious thought or recognition, to make sense of his immediate experiences, to frame his situation. We might refer to some of what he drew on to inform his presentation of self as "survival skills" or even "street smarts." This sense-making also takes place *during* and *after* interactions and experiences, rather than predominantly as a sitting back and thinking strategically *before* them.

The assessment of a new resident thus begins with the presentation of self that the youth puts forward in response to his initial sense-making efforts in secure care.[35] During my study, I observed 10 new residents arrive at secure care, and across varying staff and different program structures, this aspect of their arrival was always the same. Many residents experience a "honeymoon" period where all appears positive in their presentation of self and behaviors, only to have stubborn behavior problems (and often a modified front) surface later. For these honeymooners, we might observe, with Goffman (1959), that they lack the "dramaturgical discipline" (p. 216) to maintain their performance in the face of its interactive interrogation by youth and staff and the temporal duration over which they are required to sustain it.

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[35] The contention that new residents "begin" with a presentation of self and the staff subsequently provide a "response" (as I write in the next paragraph) artificially parses the interaction. "First impressions" are immediate and sensory-laden experiences. In an initial encounter, it is often difficult to determine who makes the initial impact.

The initial framing never occurs in isolation; it always occurs as an interactive process over time and in response to multiple interactive forces. There is always a response by staff and/or by other residents that serves to interrogate, modify or oppose that *front*. For example, not all fronts will be accepted by others. Armando's devout front appeared extreme and difficult to understand. His unusual religious behaviors unnerved, irritated, and amused staff and his fellow residents. He received some deference for them but also some ridicule. The boys, in particular, found Armando's piety hard to take and would bait him about it. Some would try to steal his food off his plate while he prayed over it or take his preferred seat for dinner, advising him to go and pray about it.

We all learn more about Braden as time passes. Staff share with me pieces of information that they learn. I read portions of his file. Contrary to his initial self-portrayals, Braden has a long rap sheet (5 felony-level offenses, 10 misdemeanor-level offenses, and a few status offenses), has been in a few programs, and indeed has been doing drugs, especially cocaine. Ana tells me that his parents were supposed to come in and visit one day but that only his dad showed up. Braden was disappointed, she lets me know, telling me that he has been concerned about his mom. She says nothing more, but Jordan overhears us and follows up sarcastically, "Oh yeah, 'My mom, she's *so* sick!'" he mimics Braden loudly. "Give me a break! She's not sick. She's an addict." I look over and see Braden watching us from across the room. His face hardens, and in that moment, I see an aspect of Braden that I would see increasingly in the months to come.

At some point, Braden acknowledges to me (and presumably to staff) that he was doing drugs, though only for about a month before he got caught. He had done alcohol and smoked weed every once in a while before, he tells me, but then he tried cocaine, and he got in fast. He said it became so bad that he felt sick when he didn't have it. "Do you feel better now?" I ask. He smiles and says, "Yeah." I tell him he looks better now than

when I first met him. "Is it hard to be here?" I ask. "Yeah," he says, "but I'm kinda glad it happened so that I could get away from the drugs." He gets up and walks away.

Mike, the staff person appointed to be Braden's advocate, tells me that Braden has a problem with manipulation. Braden has "manipulated staff for extra phone calls." Mike explains that the time at shift changes is really important because it is the time for staff to talk about what happened during the day. But sometimes staff leave having promised things to residents and forget to mention it or write it down, or sometimes they, for instance, deny a phone call, but a youth manages to persuade another staff person to let him make a phone call later that same day. "It can be hard to be consistent," says Mike. "But Braden will learn, after we hold him accountable a few times." Mike says this confidently, implying that staff will teach him to stop the manipulation, but as I observe in the weeks to come, this outcome is hardly assured.

One day I notice that Braden has stayed on a lower rung of the cottage level system for what seems like a long time, thus receiving fewer privileges. When I ask him about it, he says that he is in trouble because he got caught calling a girl. He says Mike is mad at him because Mike is the staff person who had approved the call. Later, Ana tells me that there is a court order that prohibits Braden from calling this girl. The girl is enrolled in another JJS program, and the program called secure care to complain about the call. "Braden says that the girl doesn't mind [the contact] but her parents do," she offers. "Basically, he's stalking her. Or trying to," she concludes and seems unsurprised but concerned.

In sum, these kinds of interactions function to interrogate Braden's presentation of self, and modification ensues over time. There are multiple ways to view this modification: as voluntary, as compulsory, as calculative – with the locus of control either in the individual or in the staff. And perhaps aspects of each of these interpretations are, to a degree, true. Sometimes youth may initiate a modification,

either through an admission or the offering of information about themselves. I learned of one resident's unusually middle-class upbringing over time as he told me stories about himself. Youth are sometimes caught in lies and more or less forced to adapt certain parts of their front, like when Braden's drug use became clear. Compulsory modification is frequent and standard, as secure care is a place where the power differentials between youth and staff are stark (but not completely impenetrable). And sometimes youth take a more calculative strategy and attempt to modify their front dramatically as a conscious attempt to offer a whole new persona with the hopes of being received differently. I saw this particular approach with a resident that I met during my first facility observations who subsequently arrived at the second facility (something that happened to more than one youth in my study, either through transfer or new charges). However, looking at modification solely in terms of being voluntary, compulsory or calculative runs the risk of minimizing the interactive nature of modification, something that is suggested instructively by van Hulst and Yanow's (2014) idea of framing as a "*conversation with the situation*, where 'the situation' intermingles persons, acts, events, language and/or objects" that interactively and iteratively yields meaning to participants (p. 7).

Staff Assessments: Interactive Meaning-Making

In the following example, I attempt to show that the process of assessment and its modification over time can be seen productively as an ongoing "conversation with the situation" that affects the philosophical goals of secure care. In a weekly staff meeting, after a few more incidents of Braden manipulating phone calls and lying to staff about who he was calling, there is a heated discussion about how to handle the situation. Mike is frustrated with his coworkers, and his comments are laced with criticisms about "bad team communication" and "lack of consistency." It is hard to hold someone accountable when "we can't get *our* acts together," he complains. He mentions the girlfriend and his

concerns about her safety when Braden gets out of secure care and she dumps him. The supervisor echoes Mike's concerns about the girl's safety, but not, noticeably, his criticisms of cottage staff. "I'll tell you what to do," Kimball, the "tough staff" known for his swift enforcement of the rules, tells Mike. "*You* be consistent with him! Don't worry about us. I'm not in your way. *You* hold him accountable! If you find that he's manipulated a phone call or lied to you or anyone else, give him an early bed or another consequence. That's it. No questions. It's simple. Enforce it every time you see him. It's simple." Mike looks skeptical about this plan but says nothing to the forceful Kimball.

"I was just messing with him the other day when I told him you didn't grant him a phone call before leaving," says Jordan, sheepishly referring to a phone call the other night that had seemed like a miscommunication at the time. "I wanted to see what he would do." I recall the half an hour or so I spent calming Braden the other night after Jordan denied the phone call and how angry and betrayed Braden felt. He had insisted that Mike didn't care about him, that if someone cared about you they didn't forget. Or if they forgot, they called back to make the correction. His agitation and frustration were palpable. I see smiles around the table after Jordan's admission, suggesting that staff knew that Mike didn't need any help from others in being perceived as inconsistent. Ana offers that Braden routinely comes to her and Mike when he has problems because they give him sympathy. "You know what you should do," suggests Jordan energetically, "just say to him, 'Man, your girlfriend don't love you no more!' and see what he does." Staff chuckle quietly, especially Kimball. "Then, move on!" Jordan continues. "It's not like he's in here for beating on his lady. He's in here for distribution!" At this, Mike and Ana exchange a glance that suggests to me that they think Jordan is shortsighted on this matter. Nothing gets decided in the discussion, and the meeting moves on to another topic.

Over the next couple of days, I hear more from staff. Mike starts in as soon as we're walking out the door from staff meeting, "The things I could tell you about this place, Jennifer!" I smile and walk with him on an errand to another part of the facility. "The consistency part is really hard, but it's what these boys need. If we can't be consistent as staff, they'll walk all over us." He and I make our way through several heavy doors that unlock before us and lock behind us as someone in control is clearly watching and enabling our movement through the building. Mike delivers some papers to a school administrator. "These boys need more than consequences," he continues, seemingly in response to Kimball's advice. "They need to know that they can rely on someone, that we'll hang in there and help them on their issues and be role models. They've had enough arbitrariness in their lives already, most of 'em anyway. Of course they're going to test boundaries! We have to be consistent in our response if we're ever going to teach them anything." Mike talks about the treatment assignments he has developed, with some support from the facility's clinician, to help address Braden's attempts to control others. He mentions how he wishes staff had more access to treatment materials.

Kimball bends my ear during gym time, and it irritates the boys that he chooses to talk to me instead of playing basketball with them. Surprised by his choice, I too encourage him to go play, knowing we can talk later. But Kimball yells to them, "You rookies play first!" and throws them a second ball. They smile weakly and begin to play. He calls out, "I'm watching you!" and then leans against the gym wall beside me. To me he says, "I'll play in a bit. Let them warm up first." He starts off with his signature phrase, "It's simple. These boys need consistency and accountability from us. They need to learn to think through the consequences of their actions. That's it. Then it's all on them. I talk to them about it all the time. We aren't always going to be there to 'catch them' when they mess up." He admits that Mike drives him crazy. He's too "soft,"

coddles them, and promises things he can't deliver. Furthermore, he can't believe how staff get so emotionally involved with these kids. As he conveys his perspective, Kimball gets more and more animated, telling me how he works with the kids during gym workouts, how he gives them feedback on exercise and then tries to influence how they take it. He uses these lessons to coach them about how to respond to life's choices. "They're rookies. We have to show them how to do it and see if they're going to learn anything." I smile and nod as I listen to him, hearing his own emotional investment in these boys loud and clear. "It's simple. But no, they make it hard," he says again as he nods slightly to Armando who then throws him the basketball. Kimball joins the game, and I watch as the boys clearly begin to enjoy themselves more with Kimball up and playing.

From Ana, I hear, "It's hard to be human here. You try and be real with these boys, give them a little understanding, and they can be so manipulative in return. They're just doing what they know. You can see though," she smiles at me, "how it really affects staff over time." She also notes that the staff are all so different, though she adds quickly, "but I think that's mostly good."

In their own ways, Mike, Kimball, and Ana provide me with the "narrative footing" that grounds their actions (Gubrium & Holstein, 1998). I notice that over time Kimball gives Braden a number of swift consequences for small infractions (e.g., an unmade bed, shoes left in the common area, a chore left undone). He never explains himself when he issues these early beds or other consequences (like extra chores, a paragraph to write, or occasionally, push-ups) but cites the rule violation and admits no appeals. Braden seems to accept it without complaint. The treatment assignments from Mike continue also but so do Braden's frustrations with his relationship with Mike especially on issues of promises and follow through. The troubles with manipulated phone calls continue as well. Ana seems to work to smooth Mike's inconsistencies by

providing emotional support to Braden and by filling communication gaps.

In this example, staff members are struggling to make sense of the situation presented by Braden's presence in secure care. This sense-making informs staff decisions about him: about his front, his presenting issues, and the tactics that should be used to engage him. The differences among staff demonstrate that there is considerable variation in their understandings of what should occur in a secure-care setting. Holding Braden accountable for his manipulation of phone calls means different things to different staff people, such as the use of consequences or punishment, of program structure (and the consistency of its implementation), and of provocation to test responses and intervene in a youth's typical behavior patterns. These efforts to frame the situation invoke different ideals about the goals of a secure-care stay and envision more or less ambitious possibilities for youth. When Jordan draws the distinction between drug distribution and domestic violence as a committing offense, he shows that the interaction that works to frame a youth's assessment can even involve contesting which issues should merit attention. According to van Hulst and Yanow (2014), the kind of framing achieved by this sense-making contains "implicit theories of a situation" that both provide "a model of the world" and "a model *for* subsequent action in that world" (p. 7).

Bringing their professional and personal experience to bear on the sensory experience of getting to know Braden, Mike and Kimball have developed clearly contrasting framings of the situation. Each of these frames implies a different "model of the world" and "model for subsequent action." Mike's frame suggests that Braden requires a consistency of approach between staff members to offset his prior experiences with arbitrary authority figures and perhaps a chaotic upbringing. Treatment assignments in the form of psychoeducational learning build self-awareness and skills that youth can take out into the world when they leave secure care. By contrast,

Kimball's framing of the same situation calls for internal consistency by each staff person. His relative disinterest in treatment assignments is replaced by swift and certain consequences for misbehaviors and a strong emphasis on decision-making. As I learn through further discussions, Kimball places the fault of youth in secure care squarely on the shoulders of poor parenting, which results in youth with inadequate decision-making skills. These frames offer different views of what is important in a youth's stay in secure care, what is "worrisome" (van Hulst & Yanow, 2014, p. 8) about the youth's situation, and, based on the model of the world (or situation) implied by the frame, proposes a particular course of action. A frame thus posits a particular (action-related) approach to handling a situation. In JJS, these approaches, which I take up in Chapter 7, come to represent seemingly free-standing philosophical approaches to the work in general and to which staff self-identify.

In part, because nine or so staff people have to work together, in different constellations across different shifts, they are obliged to do their sense-making together. For example, Jordan's advice to Mike to use provocation to address the control issues presented by Braden finds more support from Kimball than it does from Ana or Mike. Ana and Mike do not share the same views on youth necessarily, but they frequently find themselves in a functional alliance to try to stem what they find to be the more punitive efforts of some of their coworkers. They also share a more ambitious approach to the promise of treatment assignments and learning opportunities fostered by treatment groups. In different situations and among different residents, the staffing alliances and contests change over time. Also as their sense-making of the situation changes, so does the framing of the situation that they offer.

Staff members may not fundamentally change their basic philosophical approach, but, within limits, they do modify their actions situationally with youth. They may come to see that one youth responds particularly well to provocation and the relational process

it engages, whereas another youth is escalated to violence by provocation and requires more measured interactions. Staff members do not need to always agree on a single framing of the situation, but they do work to achieve some basic definition of the situation together at least enough so that the contestation does not erupt into a couple of dramatically unacceptable outcomes: 1) open conflict among staff in front of the youth, and 2) provocation of the youth into a violent incident. Both of these undesirable situations occurred during my observation period. But much more regularly, the sense-making achieves sufficient agreement among staff (and to a certain extent, youth) to provide a framing that guides coordinated action for the time being.

A significant amount of this framing work by staff occurs at the level of tacit knowledge. Defined as "a special high-level awareness of 'how to act' that people develop over time and that they employ to solve practical problems" (Lejeune, 2011, p. 102), one's tacit knowledge is often hard to put into words. It is based on Polanyi's (1966) idea that experts know more than they can say and involves intuition, experience, and activities that are context-relevant. Tacit knowledge is deeply personal and action-based. However, it is also a relational *way of knowing* that hinges on shared assumptions and locally relevant notions of common sense (Lam, 2014). The assessment process by staff is based on years of experience working with youth precisely in this locked and long-term setting. In its ideal form, it represents not just the rational decision-making expressed by competence but also the sensitivity to context, experience, and intuition that accompanies expertise (Flyvbjerg, 2001). Although some of the contestation and cooperation that occurs is hammered out in staff meetings, with the promise of giving them a "feel for the whole" across multiple shifts and staff persons (Schmidt, 1993), what is spoken represents only the tip of the iceberg.

The evidence that there is more going on than what can easily be put into words is observable in the everyday actions and interactions that are ostensibly about other

things. Indeed, in our many conversations, staff often wanted, but struggled, to put into words how they worked with youth or how they knew something to be true for a youth. Often, they relied on stories of former secure-care youth that could convey their experiences. Storytelling helped many of them to convey their more tacit knowledge of what works for them in a secure setting. Stories are not prefabricated; they "are not complete prior to their telling but are assembled to meet situated interpretive demands" (Gubrium & Holstein, 1998, p. 169). Stories help staff to "frame their subjects as they narrate them, explicitly naming their features, selecting and perhaps categorizing them as well, explaining to an audience what *has been* going on, what *is* going on, and often, what needs to be done – past, present and future" (van Hulst & Yanow, 2014, p. 9, emphasis in original). In addition to their stories, through their confidence, their sometimes split-second response times (to physical threat, to diffusing tension, and to recognizing and attending to youth needs), and their ability to cultivate successful and compliant relationships with youth, staff demonstrated competence at their tasks. But even though most of the staff that I observed achieved a level of competency that relied, to a great degree, on different kinds of knowledge, that knowledge set is decidedly not identical across staff people. It involves one's individual manner, temperament and philosophical approach with youth. In secure care, these highly-personal frames clashed and contended to provide an assessment of youth: a collective framing of a youth.

In summary, in staff meeting and in the cottage, in their interactions with fellow staff and with youth, staff members develop a framing of the situation. Those frames function in the staff meeting and in the cottage on a few different levels. First, in their understanding of a situation, frames provide a model of each particular youth resident and situation that forms the basis for contestation and alliances. As interactions continue daily, frames modify and shift over time. In other words, framing is an ongoing adaptive and not wholly conscious process. Second, frames prescribe a model for future

action with respect to that resident or situation. These intersubjectively-constructed frames guide the actions staff members take with youth. They reckon with certain types of actions (e.g., allowing a youth the space to stabilize, prescribing intensive scrutiny or an emphasis on personal accountability or a focus on treatment) and contextual factors (e.g., struggling in school more than in cottage, awareness of how family visits affect behaviors, health struggles, animosity with particular residents). Importantly, they prescribe a preferred vocabulary that at once sets conceptual limits and constructs difference (Gubrium & Holstein, 1999).[36] Insofar as this framing process helps to define the problems to be addressed and proposes solutions (and certain inevitable values underlying both), it is an inherently political process (Stone, 2002 [1988]).[37] In secure care, these collective frames last for as long as the interactive equilibrium holds before a new one must be built.

Fellow Residents: Power to Influence

Other residents play a role in the interactive process of framing a new resident's assessment. Their reactions to a new resident's initial presentation of self are observed by staff, sometimes influencing the framing process. As mentioned earlier, Armando's pious presentation of self provoked reactions from other youth that were viewed by the

[36] As discussed in Chapter 7, the preferred vocabulary gives rise not just to approaches in the moment but to rationalities about work with troubled youth that come to seem like free-standing philosophical approach to which staff self-identify and allow to influence their work.

[37] The claim that what happens in secure care is political may seem unusual, but as Brodkin (2017) observes, "ethnographic studies open to inquiry areas of political activity that are not necessarily recognized as political, because they occur outside of 'normal' political channels and on terms that are not explicitly or even intentionally political. Yet, these activities may be understood as political to the extent that they have a bearing on how beliefs are shaped and interests advanced or suppressed. In effect, they are political to the extent that they, directly or indirectly affect "who gets what, when, and how" (Lasswell 1936)." As I show, the decisions staff make about youth as a result of the assessment process can affect services received, timing of those services, and even length of time a youth ultimately spends in secure care.

group including staff. Watching these interactions provides more "raw data" for all to process in their framing work. There is no necessary outcome implied, but always there is the potential for impact. If Braden felt intimidated by sexual comments made by fellow residents, he may have worked to alter his presentation of self to try to ensure his own safety.

One day, while Braden and Mike are having a heated discussion in one part of the common area that seems impossible to ignore, I ask Armando what he thinks is going on with Braden these days. He replies, matter-of-factly, "He doesn't like his advocate. So he wants to work with Kimball. It's easier. But he gets all emotional about it. I don't like my advocate either, but you don't see me getting all emotional. You just have to suck it up and deal with it." I smile, feeling compassion for Armando as I quickly recognize two things. First, Armando is indeed faced with the same dilemma as Braden because Armando's advocate is also Mike. Second, of all the youth in the cottage right now, only Armando is similar to Braden in emotional intensity. His recent struggle at school with the teacher that gave him a poor rating is only one of many examples. Watching this interaction between Braden and Mike gives Armando some perspective about his own emotional responses to Mike. The similarity triggers some recognition of his own experience. I am not saying that Armando, as a result, would go on to have a smooth relationship with his advocate. Rather, the watching of the interaction influences Armando to consider modification to his own front.

Youth can also affect another resident's assessment through group action. What happens "on the down low," meaning what goes on privately among residents without staff awareness, can be consequential to a youth's assessment. Quiet intimidation through posturing or threats can affect a youth's sense of safety, of group standing, and his mindset and behaviors during his stay. If a youth focuses doggedly on "payback" or unsuccessfully navigates the "pecking order" of the cottage, it can negatively influence

staff members' evaluation of him. One youth that entered the facility posturing to inflate his gang involvement ultimately lost credibility with his fellow residents. They did not take him seriously, nor did he gain the respect of the group, and thus he struggled interpersonally in the cottage. Although his struggles did not result in ostracism, much of his support while in secure care ended up coming from staff and visiting family members. From a different perspective, if a youth is viewed by other residents as a leader in the cottage who encourages more positive (and easy to manage) behaviors, he might receive a more favorable evaluation by staff (unless, say, the youth's methods for eliciting the behaviors were discovered to be less than honorable).

In sum, although residents undeniably wield less power in secure care than staff members, they still have the capacity – the agency – to influence the assessment process. Some of this influence is conscious, even strategic, as in the effort to interrogate Armando's displays of religiosity, but much of it is not. Some influence, as in Armando's identification with Braden's plight with Mike is unintentional. And some of it influences the assessment indirectly insofar as what staff members notice in resident interactions may be used to modify an assessment in ways unexpected by youth.

* * *

In secure care, assessments of a new resident occur through an interactive framing process. There is a presentation of self by a new resident – the *front* that he offers beginning usually with his arrival at secure care. Largely based on their tacit knowledge and their daily interactions, staff and youth develop frames of the situation that are contested at varying levels of consciousness. This contestation involves the clash and engagement of different "models of the world" and "models for subsequent action" (van Hulst & Yanow, 2014, p. 7) that are implied by the different operative frames. Eventually, and to different degrees over the course of a resident's stay, a sometimes precarious level of collective agreement is achieved that allows for coordinated action

among staff and contains conflict at the cottage level. All of this happens and continues to happen over time in secure care and as staff move to implement policy and juvenile delinquency treatment with youth. We might call it a battleground of opposing views, a battleground where alliances and cooperation occur along with the conflicts, contestation, and competition. In Chapter 7, I discuss a range of different approaches to working with youth that inhabit the secure-care staff landscape. Usually, no one frame, or frame's proponent, wins entirely. A secure care assessment is usually not a zero-sum game, but it is certainly a site of politics.

Articulating Accountability: Official Policy and Rules

Accountability is a buzzword in JJS. Of all the words staff use to describe what occurs and should occur in secure care, *accountability* and *consistency* top the list. In this section, I show how formal definitions of accountability express the goals of secure care.[38] Three main documents help to articulate these formal definitions of accountability: a report published by the U.S. Office of Juvenile Justice and Delinquency Prevention (OJJDP), a recurring section within JJS annual reports, and a policy manual produced by a secure care cottage. In the next section, I share my observations of how implementation of accountability occurs in the field. In order to understand the particular philosophical goals of secure care, such as accountability, one must see how interactions among secure-care participants work to effectively implement these goals, often to noticeable variation with official articulations.

By 1996, the Utah Division of Youth Corrections (now called the Utah Division of Juvenile Justice Services, JJS) adopted Balanced and Restorative Justice (BARJ) as its philosophical approach (Freivalds, 1996). The shift signaled, in part and as mentioned earlier, increased attention to the issue of public safety as Utah responded to the "tough

[38] I address consistency in Chapter 8.

on crime" era of the early 1990s. It also acknowledged a national trend in addressing juvenile delinquency. The BARJ philosophy, included every year in the division's annual report, continues to guide the division's efforts.

Also in 1996, OJJDP issued a report resulting from its 4-year, BARJ demonstration project (Bilchik, 1998). The report details activities of demonstration project sites, provides definitions of the BARJ approach components, and makes suggestions for potential partnerships and activities. As designed, the BARJ approach is "a way of thinking about how the community responds to crime" (p. 2). The three main components of the BARJ model are accountability, competency development, and community safety. "Balanced" refers to the coequal status of the three components in the model. "Restorative Justice" refers to the primary goals of the model which include repairing the harm caused by the offender's offense(s) and rebuilding relationships in the community.

Accountability, the first of the three components of the BARJ model, is defined in the report as "taking responsibility for your behavior and taking action to repair the harm" (p. 9).[39] The report acknowledges that its definition of accountability differs from many juvenile-justice approaches where accountability is "interpreted as punishment or adherence to a set of rules laid down by the system" (p. 9). The BARJ understanding of accountability is superior, the report claims, because "punishment and adherence to rules do not facilitate moral development at a level that is achieved by taking full responsibility for behavior" (p. 9). The report goes on to outline what is required to demonstrate taking full responsibility for one's behavior:

- Understanding how that behavior affected other human beings (not just the courts or officials).
- Acknowledging that the behavior resulted from a choice that could

[39] The other two BARJ components are competency development and community safety. These components will be discussed in greater detail in Chapters 6 and 8, respectively.

have been made differently.
- Acknowledging to all affected that the behavior was harmful to others.
- Taking action to repair the harm where possible.
- Making changes necessary to avoid such behavior in the future. (p. 9)

In its 2014 Annual Report, JJS outlines its commitment to the BARJ model, where "Accountability means that when a crime occurs, a debt is incurred. Justice requires that every effort be made by offenders to restore losses suffered by victims. The Division enables offenders to make amends to their victims and community and take responsibility for their own actions" (Juvenile Justice Services, 2015, p. 7).

BARJ definitions of accountability in the federal report and JJS's annual report are official formulations that are intended to govern the mission and approach of juvenile justice generally. Individual programs and facilities within JJS sometimes have policies and procedures that govern operations as well as set forth the programs' goals and objectives. During my field work, I obtained one such manual outlining a secure care cottage's policies and procedures.[40] Over its approximately 30 pages of rules and treatment procedures, the manual mentions accountability 14 times. Across these 14 instances, it conveys three distinct yet related aspects of accountability.

First, according to the manual, secure care youth are *held* accountable in secure care for their offenses by JJS employees and programs. The cottage's mission statement elaborates on accountability stating its commitment to:

> Ensure Accountability by increasing youth offender's sense of personal and actual responsibility for past and current criminal/detrimental emotional behavior through restoration projects, multiple treatment process groups, and daily thinking error interventions. (p. 4)

A description to parents about the program conveys this meaning of accountability as something "done to" youth in confinement:

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[40] Not all cottages have operations manuals. Indeed, only one the cottages I observed had a manual. My subsequent inquiries into other cottage manuals yielded one historic manual and the sense that operations manuals were relatively rare. To protect confidentiality, I do not list the manual in my references. See Chapter 3 for more information on sources of data.

> Confined youth are *held accountable* for their behavior by confronting criminal thinking and antisocial behavior, and by emphasizing victim reparation through restitution programming. Special treatment groups focus on the impact of delinquent behavior on victims, drug and alcohol treatment, social skills development, and community re-entry. Intensive individualized education programs are also provided. (p. 30, emphasis added)

Second, youth are asked to *take* accountability for their conduct. They do this through participation in individual treatment activities that occur shortly after arrival at the facility, such as: writing an "autobiography (at least 5 pages)," writing about one's gang and substance abuse history, writing "a thorough Victim List including costs and consequences," writing "Victim Apology Letters to family and other victims taking full responsibility for the damage you have caused," and completing at least an hour of restitution work each day (p. 9). As youth progress in treatment, other activities are added to the individual work, including group activities such as treatment groups on a variety of topics including victim awareness, gang group, social skills, anger management, and family night.

Third, youth are expected to *hold others* accountable for their conduct. As mentioned in the manual, there are two groups that youth are expected to hold accountable: their fellow residents and their family members. Youth are expected to hold their fellow residents accountable through participation in feedback groups when residents see inappropriate conduct from another peer. In everyday cottage language, this is known as "calling a group" on another resident. A stated purpose of holding peers accountable is the creation of a "safe and therapeutic environment" (p. 16). With family members, residents are expected to engage parents and other family members in conversations pointing out accountability problems. An example mentioned in the manual is a youth who acknowledges to his parents that the parents routinely excuse his behavior rather than hold *him* accountable for his actions. These conversations could occur during family therapy with a clinician or during more regular visiting times.

Of these three aspects of accountability, only the second one is contemplated explicitly in the federal BARJ report (Bilchik, 1998) and the JJS annual report (Juvenile Justice Services, 2015). The shift that occurs in this translation from general philosophy to local program is from *taking* accountability to being *held* accountable. It might be argued that being *held accountable* simply takes the accountability from the opposite direction, acknowledging that the medium through which accountability with youth will occur is the programming and interactions with staff. The program thus declares its responsibility to ensure that *taking* accountability occurs. Worth examination then is how cottage staff make good on that assurance.

Another shift is from the focus on the committing offense as a singular behavior or crime in the BARJ report to "past and current criminal/detrimental emotional behavior" in the cottage manual. In some respects, this is a sensible adaption of the general philosophical approach to a secure care setting (as opposed to an early intervention program where a single committing offense may be more relevant), where youth often have long rap sheets with offenses of progressive severity. Only exceptional circumstances (which are also often highly publicized) result in a youth arriving in secure care as the result of a single offense event with no prior history of juvenile offenses. The shift, though, to *current* behaviors signals an important difference between the more general articulations of accountability and local program versions. The language in the cottage manual (see the two block quotes above) is also important to note here, that it is through "confrontation" and "intervention" that accountability is promoted. Thus, using these specific techniques, youth will be *held* accountable and *take* accountability for past offenses as well as "emotionally detrimental behavior" that occurs in the facility. As is apparent here, the closer to the level of delivery of services, the more explicit and detailed the articulations of accountability become.

In the next section, I demonstrate that these formal articulations of policy, even

taken all together, only go so far to explain what happens on the ground, especially in settings such as secure care where the interactions between staff and youth are ongoing, constant, and intensive enough that they contribute significantly to how youth and staff come to experience accountability (as well as other juvenile-justice policy aims). In the words of Meyer and Rowan, the rules and the work activities have become "loosely coupled" (1977). The gap between policy and practice is recognized by both the street-level bureaucracy literature (Dubois, 2010; Lipsky, 2010; Maynard-Moody & Musheno, 2003) and the governmentality literature (McNeill, Burns, Halliday, Hutton, & Tata, 2009) but neither literature explores how it is in interaction that policies are implemented, especially in this total institution context. I show that within broad articulations of official policy, staff and youth *together* interact to yield varied expressions of accountability in the institutional setting.

Accountability in Interaction

Framing Accountability

Staff in secure care, and in JJS generally, appear very much in agreement that holding youth accountable and teaching accountability is at the center of what JJS offers to youth offenders. Most would acknowledge that accountability may look different for a 13-year-old, first-time offender sentenced to an early-intervention program than it does to a 17-year-old secure-care resident with multiple felony-level offenses, some of which are violent. Here is one description of how accountability works in secure care, made by a secure-care worker:

> Accountability is pretty much the core. Here's what I tell youth: "You have goals; you have expectations; you have a treatment plan; and you're accountable for that. And you're not going anywhere until staff decides you're ready to get out. Not me alone. It's not me alone deciding when you're ready to get out. It's the team that decides that. But the power is in your hands. You are in control of what you do whether you realize it or not." And at first, they don't always know that, they're always fighting. And that goes back to what makes a difference for

> them: the accountability … when you're accountable, you learn that you do have control over your attitude, and that in turn affects your behavior. If you focus it on us – if you focus on the fact that we tell you when you can go to the bathroom and when to eat and when to go to bed – if you focus on the external controls, you're going to be here a long time. You're going to be lost. You're going to keep fighting us because you can't change that. [I tell kids, "I'm no different…] I have rules in society, red lights I abide by. We all have constraints and structure and rules. If we fight that, that's going to cause problems for us. Realize that you have control of your attitude; accept where you are and figure out what it is you need to learn to change, what changes you need to make, and improvements and go from there." The empowerment and the accountability is the core of that.

This account is, of course, a framing of what occurs in secure care – one that, again, implies a certain "model of the world" – telling what happens, naming what matters, and narrating a course of action for how youth may successfully navigate that world. Although there are variations on this notion of accountability, I found few who seemed to disagree with its basic definition of the situation. The framing, however, says more about how youth might survive secure care than it prescribes the actions of staff members. How staff members conduct their interactions with youth affects how accountability gets conveyed. Like Gray and Salole's (2006) study of nonsecure juvenile-justice settings, I find that the practices of staff affect how youth experience secure care. Different framings about the work of staff and what it accomplishes with youth may exist within a single event depending on the people involved and their interactions.

In the extended example of the new resident assessment process above, one can see indications of different accountability frames. Mike presents a common one when he talks of holding Braden accountable for his manipulation of phone calls. Consistency across staff members, he implies, is one of the keys to this kind of accountability. Mike means that all the staff need to work together to catch Braden in his efforts to lie and manipulate staff. Consistently "calling him out" (or confronting him, according to the facility manual) on his negative behaviors will send a message to Braden that this kind of behavior is inappropriate and will not be tolerated. It will show him that he will not be able to "shop" for staff that will ignore, permit, or even indulge those behaviors.

In some ways, Mike's view is similar to Kimball's idea of catching Braden's misbehavior. Both versions seek to "call him out," but there are two important differences. First, Kimball takes a more individualist perspective: He places more emphasis on *his* relationship with a youth, deemphasizing a consistent response across staff. Potential reasons for this view are several, but two that I observed to be common, and not mutually exclusive, include pessimism about getting colleagues to change their behaviors and focus on the potential of individual impact rather than the impact of cottage life. A second difference between the approaches of Mike and Kimball is that Kimball adds a "consequence" to the "calling out." In other words, he assesses a punishment for misbehavior. Significantly, the word *punishment* almost never crosses the lips of JJS staff when they talk about their own work with youth. Instead, *consequences* are used; consequences may be punishments or rewards. They are the results that follow a choice made by youth, and staff members make efforts to show youth how their choices and actions always result in some kind of consequence, positive or negative. In Kimball's vision of accountability, negative consequences receive more play. Getting youth to project the consequences of their choices through highlighting negative ones is the strategy used here.

"Calling out" youth on their behaviors also gives staff an opportunity to observe how youth respond. Both Mike and Kimball make use of this tactic. Staff members can then work with that response to fashion appropriate treatment practices. Jordan uses a particular variation on this approach. The goal is to get under a kid's skin, challenge his thinking, and provoke him into a telling response that provides treatment opportunities. In my study, several staff members took this provocative approach. Some used it occasionally while others used it as their primary approach to interaction.

Not only do staff members vary in terms of the frequency with which they use this technique, they also vary in terms of the degree to which they exercise it. In my

observations, staff using this approach to youth behaviors run the gamut from engaging in intense, direct confrontation to teasing youth (e.g., calling a youth a "walking thinking error" or "Mr. No Empathy") to mocking or taunting them (e.g., as Jordan did about Braden's mother, or deliberately frustrating them like Jordan did with Braden's phone call) to humiliating or bullying them. In an interview, I heard a first-person account about a staff member who deliberately and persistently humiliated a youth in front of his peers in an attempt to foster the youth's awareness of the emotional consequences of bullying.

Playing games, like cards, chess, and basketball, were consistent mediums through which staff provoked youth responses. I witnessed provocations that produced visceral responses in youth, far beyond the hard look Braden gave for Jordan's mimicking of Braden's concern for his mother. I also observed new residents who hated their first months with staff members who regularly used a provocative approach, only to have them turn into their "favorite staff" as the bond grew stronger with the mentoring and guidance that goes along with the provocation (when used more effectively). This provocative version of accountability implies that holding youth accountable means pushing them to justify themselves and their behaviors. The "calling out" of youth behaviors places emphasis on the value of confrontation, although the degree to which it is used can change its impact considerably.

These three accountability frames – exemplified here by Mike, Kimball, and Jordan – send different messages to youth, imply different practices, and provide evidence of contrasting secure-care approaches. Even if we set aside their consistency with formal versions of accountability for now, one important way to look at their limitations is in terms of how they end up being mobilized by staff. For example, Kimball's accountability frame relies on the primacy of an individual relationship between staff person and resident, a sort of coaching or apprenticeship model. And

without contesting the potential importance of this relationship to youth, it is important to recognize that getting out of secure care involves group decision-making. As the block quote at the beginning of this section notes, it is the team, not any one staff member, that decides when a youth is ready for a recommendation of release. The interactive nature of secure care means that the relationship between a resident and more than one staff person matters.

Mike's accountability frame openly relies on consistency among staff. The achievability of that consistency often falls short of its goal, although I saw varying degrees of its achievement in my observations. But even when a cooperative approach to accountability is jettisoned, as in Kimball's case, the structure of secure care – where multiple staff persons rotate through shift work and thus necessarily rely on one another for important information from other shifts that will aid in assessing behaviors, a reliance that ultimately helps to keep staff safe from harm – means that cooperation never fully loses its relevance.

Jordan's provocative approach often relies, whether acknowledged or not, on other staff members to help the youth to calm down and to "process" what happened. Particularly in the earlier phases of this technique's use, when there is not yet a trusted relationship established between the staff person and the resident, other staff people must step in to keep the interaction from becoming wholly counter-productive – a sort of "good cop, bad cop" division of labor.

In sum, these accountability frames all rely on the *interaction* among staff to achieve their desired effects. It may be tempting to view the accountability frames of staff as simply the dogged pursuit of philosophical ideals by ideologues who seek to implement those beliefs in a secure care setting. It would be easy to draw that conclusion because of my use of composite characters and because in my observations, accountability frames are attached to individual secure-care workers, at least at first. But

that conclusion is not the one that I wish to draw here. The more *political* conclusion relates to complex organizational behavior and what happens in secure care in the name of policy. The street-level bureaucracy literature points to how policy deviation occurs much less frequently due to policy opposition or resistance, and much more frequently because of the conditions of work and staff members' resultant coping strategies (Brodkin, 2012). In secure care, the nature of the work means that human interaction is ubiquitous. It is the grounds upon which policy is conveyed, to varied effect.

Interaction's Effects

In a follow-up to Armando's school incident mentioned at the beginning of this chapter, Ana takes Armando back up to school to talk to the teacher. She learns that there were different colors of graph paper available in class, and Armando selected a green one. Another youth saw him drawing on the graph paper and called him out on drawing a gang sign and choosing green when it was his gang color (and thus against the rules). The teacher believed the other youth's story and gave Armando a low rating for the day. In their after-school discussion, Armando denies the gang-relevance of his choice of paper and drawing, but the teacher refuses to change his daily rating of "poor." As I watch them walk back to the cottage, Armando's face is red and he heads straight for his room. Ana tells me that she let him know that he will have to live with the "early bed" tonight. Armando is not happy, but she reminds him that how he responds to this is even more important than what happened. She confides in me that she is kind of pleased that it happened this way. She generally likes it when staff and teachers hold their ground, unless they are indeed wrong, but it does not always happen that way. She would rather comfort a youth and help them to process what happened than to see them "getting over" on staff. Ana concludes that she just hopes that Jordan "won't make it worse." Ana's comment demonstrates her awareness of the different ways staff interact

with youth and their variable impacts. The events also provide a glimpse into how accountability may occur: through the creation and maintenance of limits and boundaries for youth. Tonight, Jordan and the other youth leave Armando alone, and Armando holds himself steady enough that the issue passes without further incident. Later, Ana compliments Armando on his self-control.

I observe a telling interaction between staff and Zach, the boy with the track and field vault over the counters told in this chapter's opening scenario. Zach had seemed ill the night before and reportedly vomited up his dinner. According to school rules, he was thus not allowed to attend school the next day. Cottage rules decree that Zach must stay in his room "on quarantine" the entire day he misses school, including eating meals in his room. When I arrive that afternoon, Zach is in his room and, by talking with him through his heavy door that has a small window at eye-level, I learn about the rule. Multiple youth and staff confirm it. The lead staff member (the "lead") during that shift informs me that the rule was created in order to discourage residents from skipping school. In Zach's case, I hear from staff that he was not yet done with a school assignment that was due today, suggesting a possible motive for the absence. Zach assures me that he is healthy, not sick, but that they wouldn't let him go to school today. Staff members, in accordance with the rules, conduct regular room checks on Zach while he is confined to his room. On one room check, I hear the lead reminding Zach of the rule to stay in all day. But the next time he checks on Zach, they have a conversation at his door and much to everyone's surprise, the lead lets Zach out of his room. Around me I hear quiet murmurs of frustration from staff and youth. Jordan calls out "marshmallow!" teasingly insinuating that the lead was being too soft on Zach. None of the staff members openly protest the decision. A youth expresses concern about getting sick from Zach's germs. Another youth, who does not like Zach, makes a comment about it being more enjoyable without him in the common area. But Zach does not seem to

mind; he comes out of his room and seems happy.

In a little while, the lead staff leaves work early for the day. Zach will be out of his room for the next 3 hours, but it is clear that if the choice had been left to the remaining staff, they would have left Zach in his room. Kimball mutters to me how the lead is so "soft" and how his decision sends a bad message to the residents about consequences. They need to learn, he tells me, nodding toward the youth.

Staff members make decisions all the time that affect their coworkers. Their coworkers sometimes disagree with the decisions' outcomes or with the means by which they are accomplished. They may not learn about a decision until after the fact (if they were not on shift at the time) or may watch events unfold before them. Ana may have wished the limits had held in this case, as they did with Armando and the teacher. Given Kimball's critique of the situation and his preference for swift consequences, he may have handled a similar situation differently. Such a range of outcomes, though relatively common, has the unintended consequence of sending mixed messages to residents about what behaviors are permissible and what are not and about what being accountable for one's actions means. These mixed messages about accountability may be the result of miscommunication, different framings of the situation, or disagreements about how to handle an agreed-upon situation. They may involve different interpretations of the rules and not necessarily a rule violation. Residents take advantage of this situation and intentionally seek out certain staff to receive certain results, something called "staff shopping," which is against the rules. In this situation, I never learn the reason that the lead staff let Zach out of his room. In addition to mixed messages about accountability, a varied range of outcomes may lead to staff conflict and further contestation.

The example of Zach demonstrates the interdependence of staff, how they must attend to their differences in their framing of the situation at hand, and deal with the upshot of different rule interpretations and styles of interaction in their work.

Interdependency and indeterminacy loom large as sense-making translates into action in secure care. Enacted meaning is not a unilateral control process where "individuals command and environments obey," but one in which action changes environments and generates new situations that require further sense-making (Follett, 1924, p. 118).

JJS staff tend not to be purists in their work, even though they sometimes espouse strong philosophical and tactical preferences. Instead, usually through the process of contestation and cooperation, they use a range of tactics on a situational basis (discussed in more detail in Chapter 7). They are often willing to respond to the individual characteristics of youth or to be reflective about the varying frames their colleagues put forth in resident assessments. In this way, as mentioned earlier (Chapter 3), the use of composite characters like Kimball and Jordan overdraws the distinctions among them. In the end, it is the interactive nature of secure care that leads not predominantly to ideologues (although they do exist) but to pragmatists.

Two other examples show that accountability in secure care can change based on interactions. At one point, three boys in the cottage are caught stealing things from the office and from the general store. Their offenses are of similar severity and all items are recovered. The residents respond very differently to the accusations. According to Mike, the first one "confessed immediately …, apologized and took accountability." Mike appears pleased the resident knew it was wrong and was taking his consequence well. The second boy lied about it at first, coming clean "only after awhile." About this boy, Mike seems grumpier but resigned. The third one was "difficult and threw a fit and is going on RP [restricted programming] for a week because of it!" In the end, the first resident goes on security, a lesser consequence with a shorter duration, while Mike places the other two residents on RP. Mike is visibly frustrated by his interactions with the latter two boys, stating his "disgust" with the one who "threw a fit." As I watch over the days to come, it is clear that this interaction with each of them continued to affect

how he responded to them, at least in the short term.

Here, rule enforcement contained an emotional component. Although some staff claim, like Kimball, not to get emotionally involved, secure-care work can, at times, be emotionally difficult, intense or even risky. Indeed, some staff in my study had been injured by youth during their tenure with JJS, one quite seriously. More often than experiencing physical injury, though, they feel disappointment when they have worked hard with and invested energy in a resident who quickly commits a reoffense upon release. Despite claims to the contrary, the emotional connection between youth and staff can be strong. Feelings of disappointment and sometimes anger when youth make mistakes can affect staff decision-making and even morale.

In a second example, a resident in my study, Marco, is in isolation for a stabbing he allegedly committed in secure care against a fellow resident. The stabbed youth was not seriously injured, but the highest level of RP (restrictive programming) – isolated confinement – is the prescribed immediate consequence for Marco (later consequences might include the filing of juvenile or adult charges). Isolation in secure care means removal from the cottage and confinement to a camera room for 23 hours a day with 1 hour of release time for exercise and a shower. It means being stripped of all your possessions except for religious material (of which he had none), sometimes including clothes (except underwear or a Velcro shower wrap) and toilet paper (available on request in small amounts) and bedding (except a bedframe, mattress and quilt). After just over 2 weeks in isolation, Marco is allowed to return to the cottage. But after 1 day, he is deemed "insufficiently remorseful" and returned to isolation. Then, over the course of the next 2 weeks, Marco is allowed to return slowly to the cottage but not to the shared common area. After 1 month of near constant cell time, Marco returns to school but not to the classroom. He is placed in a school isolation room and given school work to complete. As Marco tells me at various points, isolation is difficult so even being

confined to his cell in the cottage (rather than in official "isolation") where he could see or hear other things happening and moving to and from the school isolation room provides welcome variation.

The evaluative decision of "insufficient remorse" is based on a conversation that happened between the supervisor, Mike, and Marco. The two staff members talk to Marco about the possibility of returning to school but express concern about the possibility of retaliation. In response, Marco laughs. He is then accused of not taking things seriously and being "insufficiently remorseful." Upon further questioning, Marco is able to articulate that he does not think that there is a great likelihood of retaliation because the youth that was stabbed is set to be released in a month's time. Marco does not think the youth would risk retaliation. When Mike suggests that a friend might do the retaliation for him, Marco disagrees, shaking his head confidently but saying nothing. Marco is then returned to isolation. Later, I ask Marco what he would do if the situation were reversed; would he allow someone to retaliate on his behalf? He says, "Nah, I'd do it myself," and recounts how, in this very instance, a fellow resident wanted to commit this stabbing for him but Marco had refused. When I ask why he laughed when talking to the supervisor and Mike, he just shrugs. I suspect that Marco has no idea why he laughed.

Marco's return to isolation may have been simply punitive – one potential way of *holding* youth accountable in the face of insufficient remorse -- or could have been based on the idea that that additional time in isolation might benefit Marco – a way of trying to ensure that youth *take* accountability. Some staff believe that severe consequences "send a message" to youth that reaches them, and I heard many stories from them about their experiences with prior youth in this regard. Another reason may have been that Marco's seemingly cavalier attitude irritated staff because of the large amount of work created for them by the incident, including the additional staffing requirements and inconvenience

of monitoring a youth in isolation in a physically separate location from the main cottage. Perhaps staff wanted to "extract their pound of flesh" in exchange for their trouble. To put it another way, there may have been an important emotional aspect of this decision, not wholly unlike Mike's reaction to the three youths caught stealing.

After another month or so, when Marco is headed back for a progress review by the Youth Parole Authority (his first since the stabbing), I hear Mike giving him some sage advice, "the first thing you should do when you get in there is to let them know that you smile and laugh whenever you are nervous. You don't want them to misinterpret you." Experiencing this stabbing event had the cumulative effect of teaching the staff and Marco some things about Marco. One thing that they learned is that while it may have been true that Marco was "insufficiently remorseful," that was not why he laughed. Laughing was one of Marco's coping skills. As a young 15-year-old, the youngest resident in secure care during my observations, he was very entrenched in his gang lifestyle. His parents were both (imprisoned) gang members as were several older brothers. The fondest family memory that he related to me was being "really little" and walking through an airport with his parents with his little kid cargo pants stuffed with wads of hidden drug money. When Marco feels at ease, he giggles at silly things and acts like everyone's kid brother. He smiles and laughs whenever he is nervous. But it took some time for staff to figure this out about him. By the time Mike gave Marco advice about his upcoming progress hearing, staffs' assessment of Marco had revised somewhat.

In making the determination of "insufficient remorse," the laugh triggered concern that Marco had not "learned his lesson" yet. In Cox's (2011) ethnographic study of secure care youth, she finds that youth are forced to adopt an "institutional persona of a changed self" in order to achieve successful exit from secure care. The laugh may have run counter to this expectation and gives some indication of the kind of data staff must use to make these determinations. In other words, ensuring that youth are *held*

accountable for their actions and, ultimately, that they have *taken* accountability involves a complicated decision-making process based on interactive data.

In my discussion of accountability thus far, the idea of remorse, at issue in Marco's case, comes closest to the formal definition of accountability offered by the BARJ model. According to OJJDP, accepting responsibility for one's behavior includes, in part, understanding how that behavior affected other human beings, acknowledging the harm caused by one's choices, and taking action to repair the harm where possible. Remorse might demonstrate that acceptance of responsibility and an acknowledgment of the harm caused. In my interactions with Marco, I am never convinced that he demonstrates any of these three aspects of accepting responsibility for the stabbing. He acknowledges that his choices resulted in consequences that he did not fully anticipate, like the difficulties of isolation and the threat of additional charges. I repeatedly draw the conclusion that harm was what Marco was *trying* to cause and that he may have eventually come to regret the behavior only if the negative consequences he experienced outweighed the harm caused to the youth. My conclusion, like those drawn by staff, is based on my extended interactions with Marco, our many conversations in which I try and try to understand his world and his thinking. To his credit, Marco also tries repeatedly to convey them in ways he thinks I might be able to understand. Determinations of remorse, and correspondingly, decisions about whether a youth has *taken accountability* for his actions are at once emotive, cognitive, and tacit evaluations. A decision's outcomes, both in terms of individual results and the resultant version of accountability, are often difficult to predict. In this instance, staff probably made the correct determination of insufficient remorse, but based their decision on the wrong signifier. What seems most likely is that the laugh served as the pretext for an evaluation based on tacit knowledge, harder to express in words.

If remorse comes closest to BARJ definitions of accountability, the visions of

accountability implied by the choice to teach Marco a lesson by imposing additional isolation time, and the corresponding positions advocated by Mike, Kimball, and Jordan (with respect to Braden) are more distant. In fact, here the operative definition fits more accurately into what OJJDP identifies as *not* a BARJ definition of accountability: "punishment or adherence to a set of rules laid down by the system" (Bilchik, 1998, p. 9). Braden's lying and manipulation of phone calls have nothing necessarily to do with taking responsibility for the behavior associated with one's offense. They have more to do with rule-following, and to the extent that Kimball's frame achieves dominance, the negative consequences that are associated with rule-breaking.

Calling Groups and Being a Snitch: Peer Accountability

One final aspect of accountability mentioned in the cottage manual's version of official policy is the idea of *holding others accountable*. I observed this effort in both facilities, but it received more emphasis in one facility than the other. In both facilities, the idea of youth holding each other accountable helped to contest two aspects of a mentality that many youths bring to secure care: that of not wanting to be a "snitch" and of a more brutal vision of retributive justice. This mentality can be challenging for staff because it can obscure what happens among residents. For instance, victims and witnesses may refuse to talk about how someone was injured; no one will help discover who stole the radio; or the identity of the tagger who drew on the wall remains persistently unknown. Residents may attempt to resolve peer conflict through physical fights. The stabbing that Marco perpetrated on his victim was a retributive "payback" as well as an effort to earn higher standing with his gang. The cottage can come to feel very "street," and in order to keep the environment safe for all, staff often work to counter that mentality.

In Cottage Bravo, staff did that work largely through one-on-one relationships

with youth, cultivating informants and keeping them safe in the process. They also talked to the residents in groups and individually to try to counter the "snitch mentality." As a staff member tells me, these techniques can work well but sometimes their success depends on the character of the group of youth overall. In Cottage Summit, where more emphasis was placed on holding peers accountable, there was an elaborate set of rules that worked to dismantle street culture. In order to achieve the highest level in the level system, and to receive the desirable privileges associated with it, a youth must "call a group" on another resident each week. Calling a feedback group entails telling a staff person about a rule that another resident has broken, such as cheating, gang talk, swearing, or sneaking extra food. If the staff person deems the issue credible, he or she will assemble the cottage residents, and the initiating youth will speak his charge. The accused youth is given an opportunity to respond and then all residents are asked to give feedback to the accused. Once the group is finished, the staff person decides on any additional "consequence" for the accused youth. Consequences may include going on "security" or "restricted programming," both of which entail degrees of lost privileges.

I see many feedback groups during the tenure of my observations. Although I experience a range of reactions to them, the strongest of these is probably their surreal nature. Ten to fifteen teens, most of whom are far more likely to resolve conflict with their fists than with their words, sit in a group and say things to each other like, "I know stuff like that can be tempting, Zach, but I know you want your rating. You've got to be more positive. I know you can do it." Or "I'm disappointed to hear that about you, Marco. I know that if you focus on what matters here you can get past all the gang stuff and move your life forward." As I hear from staff and read in the cottage manual, "the expectation is that residents will hold each other accountable to maintain a safe, trusting, positive and therapeutic community."

From youth, I hear a universal and vocal dislike of this practice, including

struggling to find groups, hating being a snitch, and feeling like "dog with its tail between its legs" because one is forced to do whatever staff prescribes. I hear that it is one of the hardest parts of secure care, and youth who learn that other secure facilities don't have this feedback group rule long to be in a less rigorous environment. As one youth, who has spent time in a cottage that requires "calling groups" and in another that does not, says angrily in an interview,

> [Here,] you gotta call groups on people, and all this. You gotta prompt people and then you get in trouble if you don't hold them accountable and stuff. I just get hella pissed. That's bullshit; you know what I'm saying? Let 'em hold their own self accountable! I don't need to hold them accountable; you know what I'm saying? Yeah, I came here by myself, and I'm gonna leave by myself.

Of course, there is much about secure care not to like and perhaps that should not be liked by its residents lest, as is often said, they prefer institutional life to life in the community.[41] But there is value in observing the response by youth to certain practices meant to foster accountability.

Calling groups hinges on interactions. When I ask Zach why he doesn't seem to call groups, he says that he tries but staff always refuse to grant them. Ana, Zach's advocate, admits that different staff handle groups differently and some are a bit "lazy" and force kids to "prompt" the other youth before they'll agree to the group. Prompting means bringing up the issue one-on-one, as a reminder, like "Hey Braden, don't be mentioning that you like that staff's t-shirt. That's your gang color, so that's not cool here." A youth, particularly one who is at the bottom of the pecking order, may not be willing to attempt this encounter, as was likely true for Zach. Ana tells me that she challenged Zach to call more groups: "When was the last time you asked me for a group? Ask me, and see what I tell you!"

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[41] In some cases, it does occur that youth become institutionalized and no longer know how to function in society after years of compulsory juvenile-justice programming. If a youth's life before secure care was so difficult and riddled with tragedy and hardship, secure care may indeed be a better life if only because it offers regularly available food and a bed, structure and relative safety.

Even when staff members are not lazy, as Ana claimed, there is room for discretion in determining whether youth have enough cause to call a group on another youth. The loss of privileges and a measure of group standing are at stake for the accused. Despite its status as a weekly requirement, charges should not be leveled carelessly. Perhaps most importantly, this skill being taught to youth is a new one for most so is not always deployed skillfully. Staff discretion leaves room for variable implementation, but it is more than simple discretion that affects interpretations of accountability. Interactions work to constitute those interpretations of accountability. Youth and staff must have an encounter to determine if a group will be allowed and much goes into both players' reading of that situation. Is the youth in good standing today? Is the staff member in a good mood? On what basis has the youth selected the staff person to make the call? What else is going on in the cottage that day? Can the youth make a credible request? These may seem like incidental issues, but in the context of secure care where all behaviors are weighed and all interactions carry the potential of formal consequences, they can combine in interesting and unexpected ways to yield unpredictable outcomes.

This last point suggests that there is something unpredictable in calling groups, and that is precisely the point. Within the practice of having youth hold one another accountable is a volatile and unpredictable element of decision-making that sometimes yields unexpected results. When we ask youth to hold others accountable in secure care, we are asking them to engage in a complex negotiation of the politics of life in secure care. This politics appears even more multifaceted if we consider the interactions and relationships among youth in secure care. "Street mentality" can come to look very much like a "hidden transcript" of the powerless (Scott, 1990). As a group, youth can use this subversive and shared language to generate resistance to the "official" power wielded by staff. In the often dramatic and conflict-ridden negotiation process, different narratives

of accountability frames surface depending on how that process comes out in interaction.

* * *

This chapter demonstrates how secure care interactions are the crucible in which treatment practices and policy are forged, sometimes yielding results that stand at some distance from official expressions of secure care policy. Conducting assessments of new residents occurs through an intersubjective framing process that works to achieve an often precarious balance of agreement among staff, one that shifts and adapts over time in response to events and ongoing interactions. This process of framing youth and understandings of treatment is based both on strategic action as well as tacit knowledge.[42] It relies on expertise, experience, and intuition. It generates both a model of the youth in secure care, a model that proposes a certain understanding of productive tactics and issues that should be addressed with youth in the time to come.

Through interaction, different versions of accountability are constructed and deployed. Staff members hold different treatment views and tend to use a range of techniques. Youth and staff enact versions of accountability together, often in ways that vary from one another and from official policy expressions. That policy is implemented in interaction, resulting in slippage between official articulations of policy and their effective versions, means that we should pay attention not only to high-level discourse but also to what happens "on the ground." Discourse circulates "through the very activities that people perform" rather than abstractly through "official notions" or penal rationalities (Teghtsoonian, 2016, p. 14). Even when rules are not broken, human interactions yield variable results. As Gray and Salole's epigraph notes, contradictory

[42] Although I have not discussed it here, the reverse is also true. Youth frame staff members, much like staff members frame youth. The difference is that youth have relatively fewer resources available to them to conduct this framing. They, unlike their staff counterparts, do not wield the power of the state with their actions. I have focused on staff because of space considerations but also because understanding the actions and decisions of staff people have direct public-policy consequences.

penal rationalities can exist not just within the same setting but within an individual sanction (or in the words of secure care, the same "consequence"). This observation about secure care is not a directional one, insofar as it does not say that interactions yield better or worse results. Instead, this study is about framing and interpretation, volatility and unpredictability, in a way that raises interesting questions about what secure care *should* do.

Looking closely at interactions helps to provide a vantage point for understanding criminology findings about the "volatile and contradictory nature of punishment" (O'Malley, 1999). In secure care, volatility and contradiction can be materialized as "mixed messages" and "inconsistency." Strands of punitive rationalities combine with more therapeutic ones, at times yielding a "braided nature" of secure care rationalities (Hutchinson, 2006). The effort to ensure that youth take accountability comes to look different across youth, differences based not simply on the individual needs of a youth but also on the staff, the affective relationships at play, and the sense-making that occurs through interactions. Jeong and Brower's (2008) observation about sense-making is apt. They write that sense-making "is a process in which individual actors recognize and solve their problems with situations that they encounter, and *in doing so scatter these situations with the seeds of other problems*" (p. 224, emphasis added). The ethnographic studies of Halsey (2006; 2007) and Cox (2011) point to the discontinuities between the intentions of juvenile delinquency programs and their common effects. The rule-laden, compulsory, and intensive character of the secure-care context contributes to the consequential nature of the interactions. Policy in secure care, even when its implementation occurs well within the "spirit of the law," runs the risk of being as varied as the people conducting its implementation. It is not that the risk is logical inconsistency, that the unpredictableness is truly "random," but rather that it is based on an *intercontingency* (Becker, 1998, p. 35) – a dependence of actors on one another –

that appears volatile and unpredictable especially when viewed from somewhere than "on the ground."

In secure care – an institutional setting where work activities are loosely coupled with the policies that govern it – it is the workers and youth, and the local environment that they, in part, create through their interactions, that drives what happens there. Of course, it isn't a situation where "anything goes." This is an environment that is, in some ways, heavily constrained. Some of the most minute of movements are prescribed for youth in secure care: how to walk down a hallway, where one may sit, when one may use a restroom. What makes a critical difference is how youth and staff respond to this environment, how they interact to *cope* with structural aspects of secure care (Brodkin, 2012; Lipsky, 2010), and how they make sense of the situation *given* its constraints. The process of sense-making enables staff to make decisions in the setting and has unintended consequences. This politics of secure care relies critically on how people think about who they are and what they are doing in their interactions. In the next chapter I take a close look at these interactions in the context of the treatment services provided in secure care and the BARJ goal of competency development for youth. I examine the ways in which identities form a basis for the contestation and cooperation that occurs in this setting and discuss implications for the treatment environment in secure care.

CHAPTER 6

"ROOKIES" AND "MAMAS": COMPETENCY DEVELOPMENT, YOUTH IDENTITIES, AND TREATMENT ENVIRONMENT

> This is someone who controls your whole life. You can struggle all you want. You do what *they* want … if you keep fighting it, you're never gonna get out. Everybody in this place is an Oscar nominee award-winner.
> ~ Isaiah, secure-care resident about staff

> Honestly, I just think that we're asking them to do some very, very difficult adult-type metacognition. [Instead,] they're so likely to problem-solve from their limbic system, … from their emotional selves. They've had so much mileage in problem-solving that way. We find again and again in our setting if a guy has enough time to mature slightly, we see all of these nagging, hateful, chronic behaviors just sort of dissipate, and again, a young man that reinvents himself. He's not bound by that anymore. He can take off the nylon handcuffs and move—do something else. I just think that they pigeonhole themselves: that's the problem. They're just really reluctant to come out of that. There's some benefit in staying ill until there's a greater benefit in becoming well.
> ~ Secure care staff member

> When the law is applied in the absence of legitimacy, it does not produce obedience. It produces the opposite. It leads to backlash.
> ~ Malcolm Gladwell

It is 4 o'clock. The boys have had some free time after school and shift change, and it is not yet dinnertime. Ana calls everyone over to the couches in the cottage's common area for victim awareness group. Groans ensue. Some boys respond by walking slowly, their heads hanging and bodies slouched, and drop themselves into a seat. Other boys are moved to speak. "Can I go to my room?" asks one. "Nice try," Ana responds, chuckling. Another boy looks to Jordan and says, "I really hate groups! They're so not cool, dawg." In response, Jordan merely nods toward the couches, effectively telling to the boy to sit down and be quiet. All the boys come reluctantly to the

couches. That Ana has a large bag of candy with her helps many of them resign themselves to the task ahead.

Victim awareness group is a treatment group that Ana leads routinely. The series of weekly meetings lasts for several weeks, with each lesson containing a different exercise or activity that seeks to raise the awareness of youth about how their actions affect others, particularly in relation to their offense histories. As Jordan tells me later, "these boys tend to think *they* are the victims, since they are the ones that have been locked up. They need to understand things from their victims' perspective."

Once everyone is seated, Ana introduces today's activity. She has two, large, soft dice that have different words on each side. On one dye, the words say things like: emotionally, physically, and financially. The sides of the other dye say: me, my victim, my family, my victim's family, the community. Each youth's turn involves rolling both dice and then, based on the roll, telling an example of, say, how one of his offenses affected his *family* from an *emotional* perspective. Ana begins with herself, rolling the dice and giving an example from her own life. When she is done, she has the big dice in her hands, and she looks to her right and left to choose the youth who will start. Both of these boys look steadfastly down at the floor with their arms crossed in front of them. I watch her face register a moment of amusement as she glances up and chooses a boy across from her to begin, "Armando, will you start please?"

Armando does not look pleased, but he agrees and she tosses him the dice. He rolls them into the center of the circle. Ana reads the words out loud and frames his task for him, "So you need to try to come up with an example of how one of your offenses affected the victims in a financial way." Armando's example is short but on point, "When I robbed the store, it took money away from the owners." Marco, sitting next to Ana, makes a gun with his fingers, pretends to shoot it, and laughs. Armando passes the dice to Braden on his right while sharing the laugh with Marco, but Braden declines to take

the dice until Ana says his name. As she says Braden's name out loud, she simultaneously and silently puts her hand up to stop Marco's antics without drawing attention to it. The laughter stops. Braden takes the dice obediently and slowly rolls them. He says, "When I snuck out of the house, it worried my mom." "Good," Ana says to him. After each boy takes his turn, Ana tosses him a piece of candy from her bag.

Some of the boys, like the first two, are relatively on target with their examples. Others are less so. Zach, who is slumped onto the couch with his head in his hands, is next. It takes some prodding to get him to even acknowledge that the dice are in front of him on the floor. Ana is patient, but a boy murmurs, "Dude, roll the fucking dice! I wanna go take a nap." Ana looks at the boy because of his language, and he offers, "My bad." Then he says more emphatically, "Just go!" Zach does not meet this other youth's gaze but reaches down and rolls the dice. Ana reads aloud, "*my victim* and *emotionally*. You need to come up with an example about how an offense you committed affected your victim emotionally." Zach says nothing, but he does appear to be thinking. Finally, Zach talks with surprising animation about how the cop, with whom he got into a "fight" near the shopping mall, was given "hazard pay" for the interaction so would have been made happy by the encounter.

Ana smiles and then pauses in a way that gets everyone's attention. When she speaks, she directs her comment to everyone, not just Zach. "You know, when things happen, sometimes it is hard to see the impact on others. We're so busy with our part of it, and it's also easier to think about it in a way that's not negative for the victim." She elaborates with an example. "Remember when my car got broken into and the treats were stolen? Remember how there were lots of things that had to happen: how I had to go get my car fixed, how I had to file an insurance claim and police report, and how we didn't have treats for our Black History Month event? Do you think the person who stole it thought of all of you or of all the time off I would have to take to make everything right

again?" Heads shake in the circle. One boy vows retribution, "When I get out, I'll handle him for you, Mama!" He punctuates it with a few boxing jabs into the air. Ana winces but continues, "There are usually lots of ways people are affected. But it still might be hard to think of it," she continues. "Can you think of another way that police officer might have felt, Zach?"

Zach's second attempt gets Zach a compliment for "sticking with it" and a piece of candy. The next boy, Isaiah, needs the word "financially" defined before he is able to provide his answer. I have heard staff say that Isaiah suffered a traumatic brain injury in childhood. He is tentative in his participation and commended for his effort to participate. He finishes, visibly relieved. Another boy, during his turn, talks of how great it was to learn that his girlfriend is pregnant, making no discernable connection between the observation and his offense history. As she did with Zach, Ana has this boy try again before she throws candy to him. She quite skillfully redirects him without causing him to feel attacked or "wrong" in the moment.

In a notable and rare treatment group moment, Marco seems suddenly earnest about his turn at the dice. He is relatively on point but asks Ana if his answer is right. When she agrees and offers some minor adjustments, he nods thoughtfully then appears happy and sits back with a smile. Each time he takes a turn during this group, he makes an effort. The other boys do not seem to notice, but I do and see looks exchanged among staff that suggest they notice it too. In addition to seeking to develop competencies in residents, treatment groups provide staff with opportunities to assess a youth's effort and thinking.

After the dice go around the group three times and about 40 minutes have passed, Ana ends the group, but not before Kimball, who wants a piece of candy too, takes a turn. Ana makes Kimball work hard for his candy, pressing him playfully but persistently to be more descriptive about the "victim impact" in his example. Finally,

after considerable amusement around the room, she deems that Kimball has provided a positive example to youth and thus earned his candy so she tosses it to him with a warm smile. Kimball then says energetically, "Rookies! Get changed for gym!" The boys rush to stand by their room doors, waiting to be let in to change their clothes. As they dash back to stand in line by the cottage entrance waiting to leave, it is clear that gym time is the best available reward for having completed Ana's group.

As I wait as they prepare for gym, I think about this treatment group and the many others that I observed. I see the stark need for competency development: the lack of victim awareness, problematic thinking, poor communication skills. But I wonder about the effectiveness of treatment groups, whether they increase skillfulness in real life situations and lead to changes in how a youth thinks about himself, who he is, and how he engages the world around him. And I wonder what part competency development plays in a youth's successful transition back to community life.

Life in secure care occurs within a competency development framework that is focused on behavior change, thinking patterns, and skill-building. Competency development is one of the three main BARJ goals that form the division's philosophical approach to the range of services it provides to youth. Efforts at competency development are generally called "treatment" in secure care, although a range of additional activities also contribute to competency development. Treatment is an integral part of secure care insofar as youth are routinely informed by the Youth Parole Authority that they must "do the time but also do the treatment," meaning that release decisions are based both on achieving credit for time served and on successful completion of treatment goals[43]. Treatment, along with other formal and informal

[43] Because youth are sentenced to secure care until age 21, unless they are granted an earlier release by the Youth Parole Authority, credit for time served is largely based on good behavior. In other words, on a 6-month guideline, the YPA might choose to grant only partial credit for the first several months of time served if a youth has exhibited

activities, thus constitutes the important context that structures youth and staff interactions.

In this chapter, I explore how interactions aimed at competency development between staff and youth affect youth identities and the ramifications of that identity impact. I argue that this identity effect is an unintended consequence of secure-care interactions, malleable but ineliminable. In what follows, I briefly review the BARJ definition of competency development and its expression in multiple policy documents. I then outline the different forms of competency development, including treatment, offered by secure care. Next, I show how secure-care interactions influence youth identities in consequential ways that demonstrate both identity impact and the limits of that impact. In order to understand these limits better, I show how developmental concerns, including behavioral features of identity formation, affect the impact of secure-care treatment. Finally, I draw attention to the importance of treatment environments in developing developmentally-appropriate and effective programming.

Articulating Competency Development:
Official Policy and Rules

As stated in Chapter 5, the Balanced and Restorative Justice model posits three main and coequal components: accountability, competency development, and community safety. The prior chapter discusses how accountability is manifested through interactions in secure care. This chapter addresses the component of competency development, again considered in terms of the same three documents mentioned earlier: the OJJDP report on the BARJ model, annual reports of the Division of Juvenile Justice

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noncompliant or violent behavior. By comparison, successful completion of treatment goals is determined by staff ratings of different aspects of a youth's treatment. Generally speaking, a youth must receive a "good" or "excellent" rating on all his treatment goals to achieve release.

Services, and the secure care cottage policy manual.

The OJJDP report (Bilchik, 1998, p. 6) states that the basic value expressed by competency development is that "offenders that enter the justice system should be more capable when they leave than when they entered." The emphasis should be on learning new "skills and work habits" that allow youth to take on "meaningful community roles," because "a sense of competency is fundamental to a healthy relationship with family and community" (p. 19). Thus, while traditional treatment approaches, such as substance abuse counseling, might be necessary for some youth, a BARJ focus on competency development should emphasize youth participating actively by *providing* services rather than only passively consuming them. For example, rather than just being participants in a victim-offender mediation, the OJJDP report advocates that juvenile offenders be trained in conflict resolution and serve as mediators in an appropriate venue, such as mediating school conflicts.[44] Further, the report lists six key competencies: 1) vocational; 2) education, knowledge, reasoning, and creativity; 3) personal/social, conflict management, and communication skills; 4) decision-making, reasoning, and problem-solving; 5) citizenship; and 6) health/recreation.

At the state level, the annual reports published by the Utah Division of Juvenile Justice Services' (JJS) consistently declare the BARJ model as its guiding its approach to services (see Utah Division of Juvenile Justice Services, 2015, p. 7). In these documents, competency development is defined as follows:

> Competency Development requires that offenders leave the system more capable of productive participation in conventional society than when they entered. Youths in the Division's care are given the opportunity to learn skills to become self-sufficient, competent members of the community. (2014, p. 7)

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[44] It is worth noting that peer-led programs that include counseling, mediation, and leadership programs have since been found to be ineffective in reducing youth violence and related risk factors. According to the U.S. Department of Health and Human Services, adults serving in these roles are as effective as or more effective than peers (Greenwood, 2006).

While this statement echoes many aspects of the OJJDP report, it does not stress youth as providers of services. Specific skills or competencies are not outlined at the state level.

At the cottage level of secure care, the policy manual that I collected during my observations discusses the BARJ model and emphasizes the coequal role played by the three main components including competency development. The manual states the cottage's commitment to:

> Providing the youth offender re-habilitation (sic) through Competency Development with an emphasis on creative programming and personalized individual treatment, giving the youth alternative pro-active choices and vital skills for more pro-social functioning. (p.7)

In terms of program offerings, the manual lists a variety of treatment groups associated with competency development as well as continued academic schooling, recreational opportunities, vocational skills, and pre-employment training. These offerings cover all of the key competencies outlined in the OJJDP report. In the cottage manual, as in the JJS annual reports, there is no mention of youth as providers of services. Rather, the explicit emphasis is on "developing the vital and necessary skills for regular, alternative, or independent placement and living" after secure care.

In terms of official policy, competency development is an explicit focus of services provided by JJS. Comparing these policy expressions to secure care practices can help to uncover how implementation affects the efficacy of competency development efforts.

Pathways to Competency Development

In practice, secure care offers three main ways to promote competency development in youth: 1) treatment activities, including treatment groups, activities done in the context of the "advocate" relationship between a youth and an assigned staff member, and individual counseling services; 2) other formal activities, including school,

vocational training, recreational activities, and special events; and 3) informal activities, like the role modeling that occurs between staff and youth especially in the interactions that occur during free time. I describe each type of competency development effort in turn.

Treatment Activities as Competency Development

Treatment groups, like the one described at this chapter's opening, endeavor to teach skills aimed at shifting youth behaviors away from criminal ones toward more prosocial ones. Groups teach youth about the impact of crime on victims and about common thinking errors[45] that affect decision-making and communication. Groups also attend to barriers to law abidance, such as substance abuse and gang involvement. Still other groups, like life skills group, sex education, and parenting skills group,[46] provide youth with knowledge and skills to adjust to community life and the challenges that await them.

Treatment groups were almost universally disliked by youth. The highest praise I ever heard about a treatment group was, "You know, that group wasn't as bad as usual!" It was made in response to a dice game that was played to demonstrate the role of chance in life.[47] More often, youth talked about hating treatment, saying they had heard the same things repeatedly in their prior juvenile-justice programs, and that they never learn

[45] In juvenile justice, a thinking error is a pattern of thinking that is irrational, perhaps due to cognitive distortions, and results in poor decision-making, especially related to delinquency. For example, youth might engage in "super-optimism" that causes them to insufficiently weigh the potential negative effects of their actions, like getting caught or causing harm.

[46] Just over 20% of the boys in the observation portion of my study were parents themselves. They ranged in age from 15 to 18.

[47] The other group that was well received, though boys did not openly praise it, was the sex education group where county nurses provided information to the boys about the female reproductive system, especially ovulation and times of fertility. The boys were actively engaged in this group, asking questions once the initial awkwardness wore off. There was perhaps more active learning in this group than any other I saw in secure care.

anything in groups. Staff noticed that residents did not enjoy the groups but maintained that they were needed. Whether related to anger management or basic hygiene or thinking errors, residents often demonstrated with their actions how little connection there was between treatment-group content and secure-care behaviors.

For their part, staff members generally viewed treatment groups as a less enjoyable part of their job. Aside from the obvious fact that groups were not enjoyable to lead when met with resistance by youth, some staff avoided leading groups and would sometimes choose to "skip" theirs if they were not prepared or if it seemed inconvenient. The result was that groups were more haphazard and less routine than might be expected by reading policy manuals. An underlying reason for this avoidance is that staff sometimes felt that they lacked adequate training or support. In practice, each cottage usually had a staff member or two with more interest in treatment and perhaps some relevant educational background. These staff members often ended up doing treatment groups more regularly than their coworkers.

Another factor that led to treatment group avoidance is that although JJS sometimes purchased treatment group curricula, those materials might require significant adaptation. For example, a staff member told me that the curriculum on which their family night group was based was designed for junior-high-school-aged youth. The activities were often inappropriate for the high-school-aged population common to secure care. A different staff member showed me a JJS-purchased curriculum for his "young men's group," curriculum that seemed inaccessible to secure-care residents' life situations. Without adaptation, he thought it would not be relevant to these boys. Curriculum adaptation was left to the devices of individual staff, and such a significant and intimidating task meant that the task might go undone.

One perhaps makeshift adjustment made by staff in response to their hesitancy about treatment groups was to show a movie (either fictional or documentary) with

relevant themes. The staff member would then hold a discussion or require youth to fill out a worksheet. I watched a documentary about methamphetamine addiction, another about a juvenile boot camp program, and a range of movies about things like gang participation, mental health concerns, and problematic parent-child relationships. Showing a movie was the most common treatment group technique used by staff and was met with less resistance by residents than other group types.

A second method of providing treatment in secure care is one-on-one meetings with one's advocate. Time with one's advocate varies in terms of its emphasis on formal treatment assignments. One reason for this variance is educational background: Only some staff members have schooling related to counseling, psychology, or social work. Others place more emphasis on rule abidance or on individual "coaching" of youth through day-to-day decision-making. Because this coaching was usually not formalized, it resulted in fewer assignments and more one-on-one conversations.

The one-on-one advocacy relationship between a staff and a youth had a couple of different trajectories. First, a staff person and a youth might develop a positive working relationship. Depending on the staff person's approach to treatment, the advocacy relationship might contain regular and individualized treatment assignments. In one facility, advocates seemed to give regular treatment assignments or weekly goals that were noted on a white board in the common area. At the other facility, these assignments or goals were less noticeable and if they occurred, occurred privately between the staff member and youth. Regardless of treatment approach, these relationships could become quite close and supportive to a youth, with the staff person serving as a role model and sometimes as a parent proxy. Second, it was possible that an advocate and youth resident might not get along well. An example of this was provided in Chapter 5 with Mike and Braden. Youth might gravitate to a different staff member for a supportive relationship, but advocate assignments are rarely formally changed.

This fact might mean a youth receives considerably less one-on-one treatment.

A final mode of providing treatment is individual counseling from the facility clinician, someone with a license to provide counseling services. Depending on Youth Parole Authority treatment plans, some, but not all, youth receive these services. Sometimes clinicians work intensively with youth and their families, while in other cases, individual work may be more appropriate. Some youths will meet with the clinician regularly throughout their stay in secure care. Others will meet only a few times to resolve an emergent problem. Many youth will never experience a secure-care counseling session. Of those that did, many liked their time with clinicians and appreciated the help it provided for managing the life challenges they faced. Staff largely appreciated the expertise offered by the clinician to address more difficult issues, such as mental illness and youth recovery from prior traumatic events.

Formal Competency Development Efforts

Other formal activities, like school, vocational training, recreational activities, and special events, aim at competency development in youth. As mentioned earlier, the school setting was not part of this study. However, based on my conversations with youth and observing their reactions to school in their out-of-school time, success in school, especially when it included graduation, provided many youth with a new sense of self-efficacy and achievement. One youth's comment was typical: "I know it ain't regular school, but this is the first time I've done good since elementary [school]. I'm getting B's, and my mom's pretty happy. She even came for parent-teacher conferences cuz she didn't believe me when I told her!" Another youth said, "[In school here,] I learned I wasn't dumb, that I'm good at school, that I can do this stuff without really trying too hard. So I thought: why don't I do that instead of getting in trouble? I think I could go to college and be successful."

Some secure-care facilities also offer vocational training. Boys may take classes in things like wood shop, masonry, and computer-assisted drawing (CAD). Facility work projects may offer the chance to develop skills such as gardening and landscaping. A local, nonprofit organization taught residents to work together to record, edit and produce their own radio show. They wrote and performed poetry, short fiction, autobiographical accounts, and interviews that were then compiled into monthly podcasts. Enthusiastically received by youth and staff, the program gave youth technical skills and resulted in high-quality, even award-winning shows. Some staff lamented how vocational training opportunities were an underdeveloped component of secure care. They cited marketable skills as important to crime desistence.

Recreational activities are a mainstay in secure care. Staff members often play ball with the youth and, except for the fact that it requires them to be vigilant about emerging conflicts among youth, they tend to enjoy the playtime. Winters mean basketball or volleyball. Nicer weather allows for flag football, softball, and other outdoor games. Using a facility's weight-training equipment is also a privilege that youth can earn. Many staff members see recreation, particularly team sports, as a providing a metaphor for life success. Sometimes the game itself provides learning opportunities. For example, a volleyball game that required rapid team rotations and quick games provided comparisons to life insofar as "you've got to work with whoever you're given; you've got to make it work fast with whatever you've got. Sometimes you don't get a good toss [of the ball], but you still have to adjust quickly to have any hope to win."

More often, it was not the game but the coaching relationship with youth that staff emphasized. Teaching sportsmanship, teamwork, skills and strategy were prominent aims among staff members. Notably, youth observed different skill levels and sometimes markedly different visions of sportsmanship, teamwork, and strategy modeled by staff. Conflict between staff members with different coaching strategies

sometimes pulled residents in different directions. I once saw two staff members give different advice to a youth who was in the midst of a play on the basketball court. The youth was visibly bewildered, trying to decide quickly which powerful person he should disobey. Thus, even while the role modeling was sometimes internally consistent and influential, it was less so across staff members.

Some special events in secure care included competency development components. For example, in observance of Black History month, I attended the second part of a two-part group discussion about slavery. At the first group, residents had generated a list of the challenges of slavery. The list, tacked on the common-area wall, included things like lack of freedom, the risk of being separated from family, and being assaulted physically or sexually. At this second group, Ana asks the boys to make a list of the challenges they faced by being in secure care. As they generate the list, they make comparisons with the list they had made about slavery. The first suggestion for the list is "loss of freedom," and Ana asks if there are any differences between slaves' loss of freedom and their loss of freedom. Isaiah, the boy who needed the word "financially" defined for him in victim awareness group, startles me by looking directly at me with bright eyes and a nod and saying, "We have *limited* freedom." The other boys make suggestions about how their loss of freedom is different. One says, "Staff can't beat us;" another says, "We can still make choices." Isaiah, who is African American, observes, "Slaves didn't do anything except being born to get their rights taken away. We all did something to get our rights taken away." Ana pounces, "Did everyone hear that? There's a difference. You all did something to get your freedom taken away and to get here, but slaves were just born into slavery." The list-making continues and includes things like not being able to be with friends and family, having to do treatment, and having to go to school. Importantly, whether a special event included a competency development focus depended entirely on the initiative of staff. That this Black History month group was

offered by Ana and not by Jordan or Kimball was no coincidence.

Informal Competency Development Efforts

In the 24-7 setting of secure care, considerable time passes between program offerings. Hence, staff make more, and arguably more influential, informal competency development efforts with youth during free time or otherwise unprogrammed time. These efforts are conveyed through role modeling and informal conversations and rely heavily on the personal characteristics and interests of staff. One example of role modeling is offered by Kimball, who worked with youth on fitness. He owned a series of extreme workout videos that he would do together with youth, often coming in before his morning shift to do so. He would get them out of bed and take them to work out then bring them back for a shower before school. Some youths sought out the opportunity to work with Kimball, but the experience was rigorous and more than a few dropped out. Marco, for instance, enthusiastically courted working with Kimball for weeks. Kimball agreed to train with him and began to wake him early on a regular, though not daily, basis. One day, however, when Kimball arrived, Marco would not get out of bed, saying he was ill. He stayed confined in his room that day, missing school as well. When I talked to Marco about it later, he admitted to me that he had not been ill. Working with Kimball was too hard, and he was tired of getting up early and of working out so intensively. Kimball gave few second chances in response to demonstrations of "weakness." Marco was never invited again.

By contrast, Armando stuck with the workouts, and he developed a strong relationship with Kimball that helped to mitigate his less satisfying advocate relationship with Mike. In a word, this youth came to idolize Kimball. He was not alone. Youth demonstrated this idolization in several ways. Some adopted Kimball's characteristic mannerisms and speech patterns. They loyally accepted his discipline when they

"slipped up" on rule-following. And they appeared to work harder to obey the rules. They followed him around like "groupies" in cottage, sitting near him, waiting for the chance to interact. Among themselves, the youth talked about him, trading stories they knew about Kimball's life and comparing their experiences with him. In part, they were comparing their treatment to see if he had been consistent in his responses to them. But they were also basking in his attention and substituting their own offense history "war stories"[48] (forbidden but common in secure care) for war stories about the consequences they had been given by Kimball. Having a relationship with Kimball was like a rite of passage. It showed one to be "tough" enough to stick to the rigorous physical challenge as well as the mental discipline required to endure the rather relentless rule-following expectations and consequences associated with the relationship.

Many staff members play various games, like cards, dominoes, Connect 4, or chess with youth during free time. Some staff play only to win, but many staff play consciously to model forethought, strategy, and patience. They routinely recounted to me their reasons for playing games with youth and what they hoped to teach them. This "playing games as treatment" effort could look very different depending on the participants. Some staff members are encouraging and patient, pointing out potential moves, or talking through games and strategies to help youth see their options more clearly. Kimball, who teaches me how to play spades, adopts this strategy. He teaches me like I see him teach the boys, at first standing behind them and watching, patiently coaching them on potential moves until his students gain confidence and fluency, and then playing as their team member guiding the game through his play of the cards. Finally, he takes his place as their opponent, complimenting good moves but also playing to win.

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[48] "War stories" are glorified accounts of one's offenses. They often highlight the violence, the criminal intent, or the predatory nature of the offense. "Getting away with it" is another common theme of war stories.

I saw the results of this method of role modeling. When Zach, who was breathtakingly good at spatial games like Connect 4, chess, and puzzles, found my Connect 4 skills unimpressive, he recruited another youth to play opposite me and stood near me as I played. He gave me advice that I had heard from staff (e.g., "try to think three moves ahead") and showed me options and openings as we played. Although I did not become the formidable opponent he hoped I would become, he did an admirable job with the coaching. Given other aspects of Zach's skill set, I am confident he would have done it differently, if at all, had he not been the beneficiary of staff's role modeling.

Other staff members were more critical during game play, poking fun at moves by youth or capitalizing on youth mistakes and making much of their victories (imagine those little dances made by football players in the end zone). This tactic falls more in line with the provocation technique outlined in Chapter 5, with the aim of getting youth to focus on their choices by taunting them or teasing them about their play. Many youths seemed almost more accustomed to this kind of interaction than that exemplified by Kimball. When boys would throw tantrums as a result, staff would give them consequences and then tease them about overreacting. And when boys finally won, often the staff person would permit a similar victory dance.

Staff members also have a range of personal interests that they share with residents. This happens both because staff genuinely want to share parts of their lives and interests with youth and because they spend so much time together that some transfer of life experiences and interests is inevitable. For example, one staff person was passionate about extreme "hot sauces," and the interest became contagious, seeming at times like a childhood game of "I double dare you!" More than one youth suffered the intestinal consequences of a meal stoically consumed with more hot sauce than his constitution permitted. Another staff person had a love for graphic novels and superheroes that he shared with youth, regularly bringing in videos and collectible toys

to show the boys. At one point, he secured a donation of graphic novels to add to the facility's library. His passion was visible, and even boys who did not share it saw many superhero movies and indulged his enthusiasm. Multiple staff members were proponents of a theory of alien life and showed videos about alien life forms and the conspiracy to hide their contact with Earth's people. They spoke regularly with individual youth about these theories, answering questions and pointing out arguments they found compelling. Still another staff person was a regular proponent of the life lessons to be found in business and economics. He talked to youth about global economic interconnectedness and entrepreneurialism, including his own business acumen. Different staff members loved different things and conveyed their various interests to youth: music, chess, basketball, fishing, gardening, fitness, and motorcycles.

Informal role modeling plays a distinct and powerful role in the secure care setting, and it relies less on formal staff training and more on the personal interests, backgrounds and idiosyncrasies of staff. In the pursuit of both competency development and relational day-to-day survival, youth and staff develop sometimes strong and compelling relationships with one another. Staff often contrast sharply with the adults in residents' presecure-care lives and can cause these youths to reconsider their personal choices, self-concepts, and trajectories. In other words, they come to *identify* with staff. Even when the relationships formed are not as close, staff remain influential in the daily lives of secure care youth, given the vast power imbalances and close contact.

Through treatment activities as well as other formal and informal activities, staff work to develop the competencies of youth. At the same time, particularly in informal activities, staff and youth interact to affect youth identities. In the sections that follow, I outline the consequential ways in which youth identities are affected by staff. I then conclude by suggesting how these effects, ineliminable as they are, can dramatically affect treatment environments.

Youth Identities

Competency development is a primary task in adolescence whether one is in secure care or not. Learning academic and vocational skills, honing social interaction skills, and practicing developmental-maturity skills, like problem-solving and emotional regulation, are all key tasks appropriate to the teenage years. That the juvenile-justice system, through the BARJ model, emphasizes competency development acknowledges the importance of this task and positions the juvenile-justice system to play a role in the normal childhood development of juvenile offenders.

In addition to competency development, another core developmental feature of adolescence is personal identity formation, a process that includes individuation, separation from parents, and developing an integrated sense of self (NRC, 2013). Identity formation for adolescents takes place in age-typical ways such as active experimentation, testing and rehearsing of different ways of living (Spear, 2010). Such risk-taking and experimentation is part of a larger developmental quest to construct a more or less autonomous and stable self (Erikson, 1968). According to symbolic interactionism, personal identity is

> based on a claim of special plans, projects, or purposes, and often entails a sense of difference from others rather than identification with them. As people proceed through the life course – acquiring and shedding roles, group memberships, and identifications – they develop a more or less autonomous sense of self. That is, they come to think of themselves as individuals with life histories and a future and not only as role players or group members. (Hewitt, 2007, p. 137)

Identity formation, on this view, implies the importance of identity change over time and the role of others in that change. Being able to envision a future often has much to do with seeing alternatives embodied by those around us, some more or less viable for our own lives. Even while identity formation leads to a sense of autonomy and ownership over one's particular life theme or narrative, identity nevertheless "requires the cooperation of others, [and thus] is never merely the possession of the individual" (p.

136). Instead, personal identity is about "the reciprocal process of interacting" (Henderson, 2001, p. 252).

Competency development and identity formation intertwine to demarcate the period of adolescence. Mills, Godding, and Blakemore (2014) acknowledge both critical tasks when they write, "Adolescence is a time of opportunity for learning new skills and forging an adult identity" (p. 4). Identity's achievement serves as a common way to mark the end of adolescence. According to a definition used to guide neurological research, adolescence, which begins with the hormonal and biological life phase of puberty, ends only when "an individual achieves a stable, independent role in society" (Blakemore, 2013).

Despite its centrality to adolescent development, and notwithstanding recent attention to identity formation in the juvenile-delinquency literature (NRC, 2013), attention to identity formation is all but absent in secure care. In my research, with a few notable exceptions, JJS staff did not think explicitly about identity formation in relation to treatment. When identity is acknowledged, it is usually in reference to sexual orientation and, based on my interviews, seems far more common in terms of treatment conducted in sex-offender cottages than in the general-population cottages that I observed. Instead, treatment is conducted with a near exclusive emphasis on behaviors, even while markers of identity are everywhere – gang banger, druggie, mental health kid, sex offender, resident, staff.

There are probably at least a few good reasons for this lack of attention to identity, though none were ever verbalized to me in the context of my research conversations. First, we might be rightly wary of having the juvenile-justice system police identity as a marker of successful secure-care completion. This kind of concern, in fact, led me to this research in the first place. Were this type of policing to occur, the state would be faced with the considerable and troubling challenge of defining what

identity or range of identities might be deemed permissible in contemporary society. Even though the contributory influence of the state to our self-concepts is considerable even for those who are able to retain their personal freedom in society, we might prefer, like Kateb (1992), to see identity as an individual and private project worth safeguarding from government's reach. Additionally, practically speaking, it would prove difficult to evaluate the veracity of a youth's achieved identity. The gap between a youth's skills acquisition and his probable application of them in a community context is a difficult enough estimation (see the discussion about predictability in Chapter 8); estimations about identity are even more problematic. Finally, the criminal and juvenile-justice system is based, at least explicitly, on individual offenses: behaviors that violate the law, not identities chosen or ascribed. That remedies are behavior-based provides, at least, some symmetry of approach, whether the aim is treatment or punishment. Thus in a liberal society, many reasons exist to be wary of identity occupying a formal role in the treatment of juvenile offenders.

Even absent the claim that identity *should* form an explicit concern in secure care, it can be valuable to interrogate the ways in which identity functions in this environment and its potential impacts on youth. Identity concerns, though absent from the official goals of the justice system, pervade the secure-care environment in consequential ways. They do so in part because the residents are adolescents engaged in this normal developmental project. They also do so because of the nature of staff-youth interactions: the close proximity, the lengthy duration of the contact, and the secure-care emphases on accountability (discussed last chapter) and competency development. As mentioned earlier, formal and informal treatment efforts can result in the formation of strong connections between individual staff members and youth residents. These interactions and the resulting relationships affect how youth react to the competency development efforts by staff. They also affect the conceptions of identity that youth are

forming during this critical time in their developmental lives.

Identity Impacts

Identity formation is a complex topic, and it is admittedly hard to discern *how much* of an impact one person may have on another. Identity formation is not a fully conscious process and few could name with precision the amounts of influence assorted individuals have had on them. Interactions may seem inconsequential in the moment but the memory of it may linger, or the reverse may be true (Kahneman & Krueger, 2006). But knowing that identity formation is an active part of adolescence suggests that identity impact is likely in this setting. Knowing that identity formation is an interactive process, and not just an individual project, gives secure-care staff a potentially prominent place in whatever identity formation occurs in secure care. I seek to show here that staff affect youth identity. My emphasis in this section is on the positive ways in which identification with secure care staff can help shift how a youth thinks about himself, his future, his possibilities.

The identity impact of staff on youth can be seen in a question regularly asked of secure-care youth by adults, often in the context of Youth Parole Authority hearings, but elsewhere as well: "What do you want to be when you grow up?" One of the most common answers to this question is "a JJS counselor" or "a secure-care staff." When asked why, youth often speak of the influence staff members have had on them and the opportunity to "give back" for the help they have received. As a clinician who provides therapy to secure-care youth told me,

> I have so many kids that come in, and when I ask them, 'So, if you could have your dream job, and a career, what would you choose to be?' so many kids say, 'I want to be a parole officer. I want to be a case manager. I want to be a counselor in a place like this.' Why is that? They must have a heart. They must want to help other people … Any kid that says, 'I want to be a case worker, parole officer or counselor in a facility,' to me, that's redeeming social value right there. To some extent, there is rehabilitation happening within that individual. If they say

> that's what would give their life meaning, then they have been rehabilitated to some degree.

Envisioning a professional identity likely would not have occurred without the contact these youths had with JJS staff.

A second way of thinking about identity impact is in terms of stated influence. In interviews, I asked youth who had the most influence on them during their stay in secure care. The answers aggregated into three general categories: staff members, family members, and peers. The answers to this question were dramatically different by facility, and I address this issue in some detail in Chapter 7. Overall, some variation of staff members was the most common answer (just over 50%). Usually, youth spoke of particular staff that they had come to respect and admire. Nearly all of these youths spoke of staff who genuinely cared about them and believed in them, in their capacity to make change in their own lives. They wanted these staff members to be proud of them as they sought to transition successfully out into the community. Not wanting to disappoint them felt like both a source of anxiety and motivation as youth left secure care.

Perhaps it is possible for a youth to develop a positive relationship with an adult, to feel motivated to act in ways that would cause the adult to feel proud of him, without that relationship having an impact on the youth's sense of personal identity. But because so much of what staff present to youth represents new ways of being in the world and alternative values that contrast significantly with those presented to them by their families of origin, and because the relationship is so intensive and endures for many months, an identity impact is more likely.

One example of how dramatic the contrast between family of origin and modeling by staff could be is demonstrated by interactions between Ana and Zach. Zach came to secure care on drug and fighting charges. His home life was unstable in part because of his mother's own drug use. According to Ana, Zach's mother went to a lot of rave parties

and used Ecstasy. She routinely would promise to visit Zach and then not show up. "He worries that she went out partying and died," Ana tells me. These concerns caused Zach significant anxiety, similar to the experience of many secure-care youth who find themselves unable to control the lives of their often-unstable families. Ana told me that she had advised Zach's mother not to promise when she would visit next – that the absence of a promise would help to lower her son's anxiety. But the mother did not change her behavior. Ana reasoned that Zach's mom actually liked her own way better: Zach's worry helped her to feel needed.

Ana was Zach's secure care advocate. Over the course of his lengthy stay, the two developed a close and trusting relationship. In my observations of their relationship and in talking to the two of them about it, it was clear that Ana, through her skillful interactions with him, provided Zach with an alternate parental model. Secure care served a *parens patriae* role in Zach's life by law,[49] but it was Ana who fulfilled this role in Zach's daily secure care life. In dramatic contrast to his biological mother, Ana was stable, mature and reliable. Ana managed her own emotional life separately from her relationship to Zach. She was consistent and warm and maintained appropriate boundaries with Zach. She supported and respected Zach's relationship with his mother. She was honest with Zach when his behavior disappointed her, but she also consistently shared her belief in Zach that he could make good choices, learn, and achieve higher levels in cottage life. For his part, Zach considered Ana "the best possible advocate." Though he did not come up with the nickname, he and many other residents called her "Mama Ana." He could talk to her when he was feeling anxious or angry. He explored ideas about his future with her, and he knew he could rely on her when he needed help. She would not necessarily do what he wanted her to do, but he trusted her to have his best interests in mind, even when he disagreed with her choices.

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[49] See Chapter 2 for overview of *parens patriae*.

Ana presented Zach with new models for ways of being in the world as an autonomous, mature adult and an authoritative parent figure (Baumrind, 1991; Maccoby, 2007), both dramatically different examples than those provided by his family of origin. Absent the advocate relationship and interpersonal connection, Zach might have had no reason to notice and ponder the contrast between Ana and his own mother. For nearly 2 years of his middle adolescence spent in secure care (and thus separated from his biological mother), Zach[50] relied on Mama Ana to meet his day-to-day needs for a parental proxy. It helped to prime the ground for identity influence, giving Zach a sense of possibility not previously available to him. In some important ways, the relationship between Ana and Zach mirrored that between Armando and Kimball. Insofar as the relationships helped to provide a different vision of self, modeled prosocial behaviors and fostered an environment of support for the resident through his time in secure care (and beyond), they were similar.[51]

Another thing that youth found particularly influential was when staff disclosed personal information to them – specifically, information about their own struggles with addiction or gangs, street life or poverty, or other family troubles. This effort by staff to identify with a youth's struggles bolstered staff credibility and altered how youth perceived them. Although youth admitted that a staff person didn't *have* to have this type of history in order to be helpful to them, many youths felt it made it easier to trust them and that staff understood them because they had "been there" too. Such personal sharing was inspirational to youth and gave them a model for themselves and their future. As one youth said, two staff members were particularly influential to him:

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[50] Zach was 16 years old when I met him. He was then partially through his secure care time, and he did not leave during the course of my observations.

[51] At the risk of reiterating, it is not part of my evidence-base that Ana or Zach talked to me about how the interactions helped to form Zach's identity. Identity formation is not always conscious. But the relationship, from both participants' perspectives, was clearly influential to Zach's stay in secure care. And Zach did share with me that he could not imagine surviving secure care without Ana's support.

> [Mike and Ana]. [Ana] because she really cares. That means a lot to me. She's a really sweet lady. And [Mike] because he's shared something with me. He's been in the same position. He didn't get locked up, but he says it, like all the time, 'Man, I swear, you're like me ten years ago.' It's just funny. That's why I think we relate so well, because he says he's been through a lot of similar things – his father situation was pretty close to my situation; his drug use from when he was a teenager; the decision he made that, 'I'm not gonna do that anymore.' Now look, he's doing good for himself. He's a good guy. He's living an honest life, and he's happy. It makes me feel good. It's like, all right, there's hope for me, man. It feels good.

Another youth put it this way:

> Like the things [staff] tell me, the way they come about life, the way they experience life and how they overcame it, it all makes me want to do something [with my life], a lot. Like, I just kinda look up to them … But I mean, there's a lot of staff that's influenced me to want to change and do better things … they see me recognizing myself, like, they bring out my abilities and put 'em in front of me and show me that I can do something, or else I wouldn't really be able to find it in myself.

Still another said: "[Kimball], he's strict. He catches you, and [then] you're in trouble. But he means right. He's trying to teach us. He's been there. Every staff has their story. And [Kimball] is the way he is because he's been there. He's told us." Kimball emphasized this identity connection with youth by regularly calling them "rookies" to show them that he had already traveled a similar path and was well acquainted with the life involved.

When staff worked to bridge the identity difference with youth, youth felt more trusting of staff and their influence on them. Instead of being the "other" – the guard, the counselor, the adult – some staff made the interpersonal effort to situate themselves as having "been there" and being, in some important ways, "just like them." Kimball's use of "rookies," exemplified this effort at bridging identity difference at the same time that it maintained important differences. Of course, some staff were able to convey their care for youth despite personal histories devoid of addiction and the other elements of "street cred" that youth hoped to find in them.

Another way to consider the identity impact that staff have with youth is in terms

of proximity. Secure care places staff and youth in close proximity to one another for months on end. Proximity facilitates influence, and staff recognized that influence by saying that "kids are going to be what you tell them they are." I heard this in interviews when a few staff vocalized their disagreement with one cottage's treatment philosophy that focused, in part, on psychologically breaking kids down before building them back up. The lack of respect sometimes demonstrated to youth troubled these staff members, especially the concern that youth would be harmed by the negative messages sent by "the system."

By contrast, many staff sent positive, intentional messages to youth. They used proximity to help youth see themselves as valuable, worthwhile human beings: they were people who had made bad choices, often conveyed as "bad choices not bad kids." For some staff, a version of this saying was close to a mantra used to remind youth (and perhaps themselves) what was at issue in treatment. Here, as noted earlier, one can see conscious movement away from identity concerns towards behavioral ones.

Other staff approached proximity as an opportunity for self-discovery, using the duration of contact to facilitate youth discovery of particular abilities or aptitudes. As one JJS staff person said:

> That's why I liked [working in] secure [care] because I did feel like we had an opportunity to make an impact. I think we really did sometimes. It certainly had an impact on me … We found, and kids found out, that they were writers, or artists, or poets, or actors, or musicians, or readers, or leaders, or communicators. They found out things about themselves that they would never have found out in jail, or in [detention], or on the streets, or in prison.

This influence, facilitated by proximity, also assumes a degree of role modeling. According to one JJS caseworker,

> Modeling is huge. It's not really talked about very well [in JJS], but kids are going to do what they see, and to a certain extent they're going to emulate the people around them. I mean, we can't stop that. We're always going to pick up aspects and features of other people's personalities. The more time we spend with somebody, the more their infection, their personality or whatnot. And kids [especially] take on the personalities of the people that are around them because

they're very impressionable.

That role modeling, whether in formal or informal activities, affects youth insofar as it causes them to question and ultimately accept or reject particular constitutive parts of their identity-in-the-making. At a time of life in which identity formation is a major life task, the role models that secure-care staff provide to youth can play an influential role in how youth come to complete their identity projects.

One slightly different marker of identity impact, more related to secure care generally, is tattoo removal. While in JJS custody, youth who are interested in getting gang tattoos removed can do so at no cost to them. The offer is a collaborative effort between JJS, local benefactors and businesses. Tattoo removal is a significant commitment to at least a year-long process of submitting to laser treatment every 6 to 8 weeks. According to staff and youth, removal is far more painful than getting the tattoo in the first place.

The prospect of getting gang tattoos removed conjures identity issues as youth contemplate rejection of their gang identity, often in conjunction with the treatment efforts of staff. Youth can feel pulled in both directions. More opportunities may be presented to them if they lack those visible markers. It is, for example, difficult to get a job with a gang tattoo across one's forehead. But there are also significant counter-pressures on youth, who know they'll likely return to the same neighborhood they left after secure care, to make that reentry and future street survival as uncontroversial as straightforward as possible. The decision to have tattoos removed is a difficult one, but the outcomes may be significant. A staff member told me,

> I don't think we've had a single kid who has gotten tattoos removed reoffend. They chose to get all the ink removed that represented who they used to be. I mean talk about a belief system: you're wearing it in your skin. Every day you see it, you know that's who you are. To make that decision to get that removed, oh my gosh, that's got to be an incredibly tough internal decision for the kids to make.

A staff person tells of one youth who continued to change as he went through the tattoo removal process.

> He owned it more and more, and he said, 'Well, if I'm getting these off, I might as well get this one off, too, because this one's more obvious. And then I might as well get this one off.' That last one wasn't obvious at all! It wasn't about the display. It was about their belief system about themselves. They did not want to see themselves that way anymore. I think doing something so real and so concrete and so physically connected to you [has an impact] — because I know that hurts every time they go. I see kids' faces … They really have to believe that they're changing because they're suffering physically through the process of change.

Because most youth take some time to come to the decision to remove tattoos, usually the removal process starts midway through their secure care stay and is not fully complete until after release and their transition back to the community. Whereas a secure-care staff person might initiate and support the removal process with a youth, it most often finishes with a parole officer taking the youth to his final visits.

Every youth I observed in secure care established a relational connection with at least one staff member. Youth make these connections to the very powerful people in their lives both strategically for survival purposes and also because they legitimately find these adults compelling. Staff come to represent alternate ways of being in the world as residents grapple with their efforts at identity formation. Youth sometimes wish they could take these relationships with them out into the world and often struggle when transitioning back to the community without the relationships that have served as constants for them, at least during their time in secure care.[52]

The identity impacts of connections with staff can influence choices youth make in secure care and in their lives beyond. Indeed, I argue that identity influences lay the

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[52] Youth, of course, have a JJS caseworker that works when them as they transition back to life in the community. This caseworker is sometimes someone who has worked with them (and possibly their family) prior to their arrival in secure care. But the caseworker - youth relationship is different than the secure-care staff - youth relationship in many ways, not least of which is the intensity and frequency of interaction.

groundwork for the extent to which competencies are developed. That is, when youth make positive connections to staff in secure care, they become more open to developing competencies that staff suggest will help them in society. To put it another way, the personal and idiosyncratic ways of being – the love of graphic novels, physical fitness, or motorcycles; the street credibility of "having been there" – that pull a youth into the orbit of a particular staff person have identity influences that cause him to become more open to that staff person's treatment lessons. Indeed, without those connections, youth may hear little of what staff say. And what they do hear, depending on how it's said, they often reject.

The Limits of Identity Impact

My research demonstrates not just the positive impacts of identity formation on secure care but also its limits. As mentioned in Chapter 5, many youth interviewees cited that staff had the most influence on them while they were in secure care. This answer was true of only one of the cottages I observed. At the other facility, youth spoke of the influence of family or peers but also, notably, of "not staff." The reason for this answer was the differences between cottage treatment environments. Four youth in my study had spent time in both cottages, and although I only observed two of them in both settings, all had comparisons they shared with me.[53]

Two contrasts between the facilities help to draw out the consequential differences that I argue account for how likely youth were to name staff as most influential upon them. First, in Chapter 5, I discuss the requirement in Cottage Summit that residents "call groups" on one another, that is, to find rule violations committed by

[53] The sharing of this contrast between cottages was under three situations: 1) with youth that knew me in both settings; 2) where I solicited the information from youth in an interview setting but did not acknowledge my observations in the other cottage setting; or 3) unsolicited, where I did not acknowledge my observations in the other cottage setting.

their fellow residents and raise the issue in a group setting. Youth disliked this requirement because they felt it led to youth not trusting each other. And indeed, it did have the effect of isolating youths from one another. They never knew who would keep their secrets and who would "snitch" on them, which usually caused them to keep to themselves more. Although this question of peer trust is true in most cottages, it was even more often the case in Cottage Summit because of the way privileges were aligned. In order for youth to take part in special activities reserved for those on higher levels (including later bedtimes, extra meals, special movies and activities) and to gain greater recognition in cottage life, they must always be on the watch for the misbehavior of their peers. Only by exploiting that misbehavior, even sometimes provoking it, would they personally benefit.

This feature of cottage life had a "divide and conquer" feeling to the youth, even though staff did not perceive it this way. Maintaining a healthy treatment orientation in the group and giving youth experience helping each other to be accountable were the primary staff justifications given for calling groups. Even setting these reasons aside, there are positive aspects of isolating youth from each other. For example, it productively deemphasizes gang allegiances so that conflicts from the street are less likely dominate (and endanger) cottage life. But youth were unlikely to see these benefits and instead resented the practice.

Even though youth could choose not to call groups and accept a lower level in the level system, they told me "who wants to be locked in their cell all the time? That ain't cool." Youth talked about being hungry and needing the extra (and better) food provided during special activities.[54] Plus, as they reminded me, staff have the ultimate power to

[54] Youth and staff complained about the quality and quantity of food available in secure care. At Cottage Summit, second helpings were first offered to those on higher levels. Youth on lower levels went without seconds if nothing was left when their turn arrived, something that occurred with regularity. Extra food, sometimes enough chicken

determine whether a youth would get out of secure care.[55] Compliance felt compulsory.

Another related feature of cottage life involves the environment created, in part, through the close inspection of attitudes and behavior. In Cottage Bravo, much like this chapter's opening example, youth were vocally and physically reluctant to participate in treatment groups. Sometimes they slouched and stared resolutely at the floor in resentment or vacancy. Sometimes they looked much like a spring that is in the process of being coiled tighter and tighter with each phrase spoken by staff. Treatment groups were not fun, and as in the opening chapter example, boys made no attempt to hide it. Not so in Cottage Summit, where negative attitudes or poor behaviors resulted directly and swiftly in poor ratings and other consequences to the youth's standing in cottage. There, peers might use such behaviors in their fellow residents as fodder for fulfilling their own group calling requirement. Staff, always vigilant, would also note minor attitude problems in the daily logs. Bigger behavior problems, such as refusal to participate, lack of completed assignments, and vocal complaints, might result in immediate consequences like sitting alone at a desk while the others had free time.

One result of the more vigilant environment was that treatment groups went smoothly, often with increased and better participation by youth. Additionally, assignments were completed on time and turned in and were of higher quality. In fact, watching groups in this second cottage, I was consistently impressed with the demeanor and behaviors of youth. They seemed more engaged, more participatory, and more respectful of each other and of the process. It seemed remarkable, even surreal, in comparison to my experience watching groups at the other cottage.

My initial take on watching groups in Cottage Summit was that the program had

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and starch for perhaps 10 teen boys and staff, was often purchased by staff for those youths on higher levels.

[55] Of course, it is not staff but the Youth Parole Authority (YPA) that releases youth from secure care. But the youths' point is well taken: YPA members rely critically on the reports of staff to determine readiness to leave.

found a way to capture youth attention and focus their efforts on treatment in a way that Cottage Bravo had not. There were additional benefits of Cottage Summit's approach. For example, youth received clear messages about where they stood at all times. They were rarely confused by their weekly ratings because the feedback and consequences youth received throughout the week was duly noted in the daily logs. This kind of confusion was more common in Cottage Bravo where staff made less effort to coordinate their actions. In other words, the more comprehensive and ambitious programming effort by Cottage Summit required more effort by staff in their observations of youth, enforcement of the rules, and communication with one another. Cottage Summit's program was more demanding of staff and youth. It raised the bar for everyone, and Cottage Summit's staff rose to the challenge. Indeed, I suspect that an effort to qualitatively and quantitatively evaluate Cottage Summit's program would yield positive results. The program enjoyed a good reputation, for example, among case workers and other JJS staff as being a secure care cottage that was providing sound treatment and facilitating transition back to community.

When I interviewed youth, however, I found a dramatically different scenario: one that is consistent with research on adolescent development and one that takes seriously the issue of identity formation. What I found was that Cottage Summit's more ambitious treatment program also created a heightened demarcation between staff and youth, one that youth resented at a visceral level. Cottage Summit overemphasized the power difference by making staff judgment and evaluation of youth a near constant and explicit feature of the interactions between youth and staff. For comparison purposes, it is not that Cottage Bravo youth confused who was youth and who was staff. Nor is it that Cottage Bravo staff failed to evaluate youth. Neither of those things happened. Rather, in Cottage Summit, youth were constantly and starkly reminded of the hierarchical difference between staff – vested with nearly all the power – and youth – who had

almost none. Those reminders, the emphasis on power difference and obedience, the attempt to constantly surveille youth directly and indirectly (through their peers) raised the teenage (and perhaps human) reactionary hackles in secure-care youth and pervaded the treatment environment.

To put it bluntly, these youths *hated* staff. Staff were "pricks" or "cops" or "assholes" who were "just here for the money" and treated youth like "dogs." They forced you to do things even while they reminded you that you always have choices. As one youth said, "[Staff] always say, 'Oh, we can't make you. We can't make you,' and all this. I'm like, 'What the fuck? No one wants to be sittin' in their room or just 'on consequence' [and so] sittin' at a damn desk. So you're pretty much makin' us.' What the hell?"

Physical demarcations between youth and staff were everywhere: comfortable staff office chairs in which youth were not allowed to sit. Staff had a big table that youth could sit around only at the invitation of staff. By comparison, youth had industrial couches, wooden backless stools, and smaller wooden tables at which to sit. But the demarcation was more than physical. Staff put you down and made fun of you, said youth. One cited this example, "You can't talk shit to them, but they can talk shit to you. You ask them how their day's going. You're trying to be polite and respectful, and what do they say? 'Better than yours! I'm not locked up!' That's messed up!" This approach to hierarchical differentiation is supported in the literature. Gray and Salole (2006) write in their ethnographic study of a residential juvenile-offender facility, "the staff continually reminded clients of this hierarchy through their everyday social control dialogue. For example, an '*I am better than you*' mentality seemed to prevail and contributed to both a subtle and direct structural reinforcement of hierarchy" (p. 667).

The views of these Cottage Summit youth (perhaps, it should be noted, different from the feelings of Cottage Summit staff) are that staff do not care about youth but

rather are power-hungry and just trying to catch youth when they mess up. "[Staff] have a thirst for power, and you gotta quench it … I feel like a pussy and like I'm scared, and I have my head down all the time. I'm ashamed of what I have to do here. I'm ashamed of how I let people talk to me." By comparison, Cottage Bravo was more "chill" and "you changed when you were ready to change, if you were ready. Staff knew they couldn't force you."

Cottage Summit was like "putting a Native American in boarding school," Isaiah told me, with staff trying to change the hearts and minds of youth that felt at times like brainwashing and involved skills and behaviors but sometimes also personal and religious beliefs. Youth felt pressured to adopt and demonstrate these behaviors and beliefs because in doing so, it seemed to them that it might improve their chances of getting out (see Cox, 2011; Halsey, 2006, 2007). Again, compliance felt compulsory. But the ruse felt forced. Consider Isaiah's epigraph that everyone is secure care is an "Oscar nominee award-winner." The compulsion to obey triggered a reactionary defiance but one that was mostly hidden from staff. Thus, when I asked youths who was most influential to them during secure care, their first quick and defiant answer was "not staff."

Is this reactionary "sour grapes" from youth who got caught doing something wrong? Perhaps, although many of these comments came during reasonably private interviews with youth who had already achieved a transitional release out of secure care. Vocalizing these concerns was not something that most youth in cottage felt they could share safely with me without wondering if they were jeopardizing their standing with staff. Some did share their concerns in cottage when they felt confident that staff were out of earshot and that I would not break their confidence.[56] It was also a topic that some

[56] From a methodological perspective, it is worth noting that these youths spoke to me in an interview setting because it afforded them some privacy from staff. But that

youth would broach of their own accord but then reach a point where they would not elaborate further, saying, "I can't talk about it no more. It makes me too mad." What was only sometimes left unspoken was the sentiment, "And I can't afford to be angry here."

Not all Cottage Summit youth felt the same way. Some felt like it was not too hard to comply with staffs' directives. Even though they didn't find staff to be "most influential," some, like Zach, still made positive connections to individual staff members. For these youths, the learning environment may have been better not because of its harshness but because of its structured predictability. But I would argue that the identity impact afforded by the connection established even with a single influential staff person worked to make them more open to the treatment information presented to them, even under somewhat harsher circumstances.

It is possible that even though many of Cottage Summit's youth reacted negatively to the cottage's treatment environment, they were still learning the skills taught to them. Staff talk regularly about having to "get a youth's attention" sometimes through harsher methods before the youth will engage in treatment. Perhaps Cottage Summit's harsher methods got the attention of youth, which then helped to create a better learning environment.

Three potential interpretations of Cottage Summit's treatment environment are likely: 1) Cottage Summit's harsher treatment environment triggered defiance and created a barrier to treatment learning; 2) the close relationship and process of identification with staff made youth more open to treatment information in spite of

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is not the only reason they confided in me. Had I not spent months getting to know them and earn their trust during the observation portion of my study, I seriously doubt they would have shared these concerns with me. My early interviews with youth in Cottage Summit were not particularly revealing. Since they did not know me and had no reason to trust me, they just gave me the "official transcript." A traditional program evaluation, even with qualitative components, thus would be less likely to reveal this type of information. Ethnography provided the conditions that made these insights possible.

harsh conditions; and 3) treatment learning occurred in spite of defiance or even because of it. A further question about identity impact is worth considering: in what important ways are negative identity impacts different from positive identity impacts? Is there value in youth saying "I don't want to be like that staff person" as opposed to "I want to be like this staff person"? Although not directly addressing the case at hand, the adolescent development literature helps to provide some perspective and insight.

Adolescent Reactivity and Defiance: Emotional Overload and Fairness Judgments

According to the NRC (2013), adolescents are different in three important ways from adults and children that lead to the age-typical, risky behaviors that contribute to delinquency. First, adolescents have a harder time with self-control in emotionally-charged situations. Second, they are more reactive to peer pressure and to immediate incentives when compared to adults. And third, they have difficulties making judgments and decisions that require a future orientation. Research on normal brain function and development, along with some of the behavioral consequences of identity formation, supports this understanding of adolescent behavior. Awareness of these developmental features can help to inform and evaluate the programming designed to benefit them.

Brain Function and Development

Adolescence features an imbalance in developing brain systems such that "adolescents lack mature capacity for self-regulation because the brain system that influences pleasure-seeking and emotional reactivity develops more rapidly than the brain system that supports self-control" (NRC, 2013, p. 97).[57] The pleasure-seeking and

[57] This work was based on a project approved by the Governing Board of the National Research Council, whose members are drawn from the councils of the National

emotional reactivity so common to teen behavior occurs in the limbic system, a part of the brain that begins a developmental surge around the age of 10 to 12, and becomes "turbo-boosted in puberty" (Giedd, 2015, p. 34). The prefrontal cortex that, by contrast, manages sound judgment, consequential thinking, and impulse control develops much more slowly, not achieving full maturation until a person's 20s. The prefrontal cortex is also involved in social interaction, understanding other people, and self-awareness (Blakemore & Mills, 2014). During adolescence, these two systems interact "to promote novelty seeking, risk taking and a shift toward interacting with peers" (Giedd, 2015, p. 36). This "asynchronous development of brain systems" means that in decision-making moments, "functionally mature reward centers of the brain may hijack less mature control systems in adolescents" (NRC, 2013, p. 98).

In addition to this functional imbalance, making and improving connections and between different (and still maturing) brain regions is another important developmental feature of adolescence. Myelination, a process that extends from childhood into adulthood, creates white matter in the brain that facilitates – in terms of speed, timing, and coordination – and strengthens connectivity between brain regions. As children become adolescents, there is a rapid expansion of myelin that increases this connectivity, but importantly, much of that connectivity is still immature.

Another factor affects brain region connectivity during adolescence. Called synaptic pruning, it is a process that ultimately strengthens neural connections. It occurs in gray matter rather than the white matter involved in myelination. Gray matter "consists largely of unmyelinated structures such as neuron cell bodies, dendrites (antennalike projections from the cells that receive information from other neurons) and

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Academy of Sciences, the National Academy of Engineering, and the Institute of Medicine. It was supported by a grant between the National Academy of Sciences and the Office of Juvenile Justice of Delinquency Prevention and is based on an extensive review of the literature across several fields including juvenile delinquency, pediatric neurology, legal research, and psychology.

certain axons" (Giedd, 2015, p. 35). Generally speaking, gray matter increases in childhood and then decreases over the time of adolescence, reaching mostly stable levels during adulthood. Synaptic pruning is the process whereby the brain sheds gray matter and is heavily environmentally influenced. The brain tailors itself to existing environmental demands, allowing it to prune unused connections and then strengthen connections that see regular use. Synaptic pruning helps the brain, over time, to specialize and allow for the routinization of preferred pathways according to the demands placed upon it.

One important task of adolescence is learning how to function in the social world. Research on the "social brain" tells us that the kind of brain functioning that facilitates social interaction and social decision-making is not a linear, step-wise developmental process from childhood through adolescence into adulthood. Three research insights support this recognition. First, research suggests that teens and adults use different cognitive strategies and different parts of the brain to make social decisions. A study by Dumontheil, Hillebrandt, Apperly, and Blakemore (2012) demonstrates that cognitive decision-making (e.g., understanding a rule and applying it to make a decision) develops more quickly than social decision-making (e.g., the ability to take someone else's perspective in order to guide one's behavior) and relies on different brain regions than does the same task in adults. Thus, we can say that generally speaking, the brain region in charge of our emotions develops first, followed by the cognitive decision-making brain, and only finally does social decision-making mature.

Second, teenagers, especially male teens, have a harder time suppressing responses to negative emotions. Based on clinical studies, they require increased response time in order to generate similar accuracy rates on cognitive tasks (Tottenham, Hare, & Casey, 2011). Such research suggests that for teens and especially for teenaged males, decision-making and judgment may be compromised in emotionally-charged

situations (NRC, 2013). In other words, in emotionally-charged situations with limited reaction time, youth may act from their limbic systems while more emotionally-neutral contexts allow for cognitive systems to have a greater impact on decision-making. Together with the Dumontheil et al. study, the research suggests that adolescents engage the social world with brains that actually function in different ways and use different brain regions compared to adults. And because social decision-making develops more slowly, youth are more compromised than adults in making these decisions in emotionally charged (and social) situations.

Third and importantly, a study by Engelmann, Moore, Monica Capra, and Berns (2012) demonstrated that teenagers are actually more responsive to expert adult advice in risky situations than are adults. As in the above studies, adults and youth use different brain regions in this cautionary decision-making process. Results show that expert advice enhances an inhibitory process in adolescents that in turn allows for a more deliberative decision strategy. Therefore, and relevant to the secure-care setting, it is precisely the staff – the adult experts – who have a potentially strong impact on youth decision-making.[58]

The adolescent brain certainly has its vulnerabilities. But one important point about the adolescent brain concerns not its imperfection due to immaturity. Rather, the adolescent brain is perfectly positioned to be open to new ideas, to creativity, to cautionary advice, and to taking the kind of positive risks that promote learning of both educational and social varieties. The above study about risk-taking points to this fact. Youth, in their active experimentation that often includes risky (developmentally-appropriate) behaviors, are actually *more* responsive to expert adult advice that could keep them safe from the most dangerous aspects of their choices and promote learning

[58] Peers definitely have a powerful impact on youth at this age. I found no research that compared peer influence to the influence of adult experts on adolescents.

than are similarly-situated adults. They conjure this responsiveness from different parts of their brains than are used by adults for similar tasks. Adolescents are poised to do the developmental tasks they most need to accomplish: skill development and finding their selves and their place in the world as stable adults, and their brains are "wired" so as to at least make possible their relative safety in the process.

In terms of the Cottage Summit treatment environment, adolescent brain research raises two relevant issues. First, environmental context can be a critical component in treatment programming. Environment represents a broad category of concern including physical surroundings, deviant peer contagion concerns (Dishion & Dodge, 2005), the substantive content of treatment programming (consider, for example, milieu therapy efforts (see Greenwood, 2006)), and some factors related to the coordination of that programming (such as how activities are calendared and prioritized). Environmental conditions and the social-cognition demands that these factors place on youth, given the duration of their stays in secure care and the fact of synaptic pruning, can make real and long-lasting differences on the future abilities of youth. In other words, the more that environmental factors can replicate real-world social-cognition demands, the more valuable that environment is to youth both because it prepares them better interpersonally and because it helps facilitate the development of neural pathways that prepare their brains for life. In terms of the epigraph by the secure-care teacher who suggests that youth can reinvent themselves if they're given a chance to mature, this research suggests that it is more than time that matures a youth. Providing the kind of environment and experiences that affect brain development positively is an important condition facilitating that maturity. When life in secure care is dramatically different from life in the community, the risk is that the types of social cognition will be so different that it will lead to pruning away, due to disuse, of those

pathways that youth need to function in life outside of a locked facility.[59]

Of even more concern regarding Cottage Summit's treatment environment is not the content but the process. *How* staff convey treatment in their interactions with youth is the primary issue here. In other words, the ways staff interact with youth – the quality of their interactions – regardless of the specific treatment program content, can affect immediate and longer-term decision-making. Over time, *treatment as process* can affect youth brain development in terms of the selective adaptation the brain makes to environmental conditions.

The second relevant insight from brain research can help to further specify aspects of the treatment environment. If, and perhaps contrary to conventional wisdom, adolescent behaviors are influenced by expert adults, then the potential impact of secure care staff, as expert adults, should be considered carefully. Further, because teens, especially male teens, are slower at and have a more difficult time making sound judgments in the presence of negative emotions and are sensitive to incentives, environmental treatment process can affect eventual treatment outcomes. These insights can be extended by considering how identity formation helps to specify other important features of adolescent development.

Identity Formation and Behavioral Consequences

Adolescent identity formation involves a number of age-typical behaviors. It prompts a pursuit of autonomy and independence. Experimentation, seeking novelty, and testing limits are elements of this identity quest (NRC, 2013). Empirical evidence

[59] One of the gravest disservices that the juvenile-justice system can and does to some youth who find themselves in "the system" for years is to *institutionalize* them. Institutionalization (see Jerome, 1998) refers to the idea that youth become so accustomed institutional life that they become unable to function outside of it. What this brain research suggests is that institutionalization is both a neurological process as well as a socialized one.

suggests that the presence of peers during these activities means that the riskiness of such behaviors will be exacerbated (Chien, Albert, Brien, Uckert, & Steinberg, 2011; Gardner & Seinberg, 2005). But research also suggests that, in the vast majority of youth, these behaviors desist after adolescence even if they resulted in delinquent activities during the teenage years (Blakemore & Mill, 2014; NRC, 2013). Consistent with the insights of the second epigraph at the beginning of this chapter, maturity can lead both to reinvention and delinquency desistence.

In secure care, the pursuit of autonomy and independence is fraught with difficulty. Having lost their freedom in juvenile court, secure-care youth struggle toward identity formation goals under restrictive conditions. In the total institution of secure care, where nearly all aspects of a youth's life – from physical movement to personal hygiene routines – are structured, regulated, and subject to sanction, there is little room for autonomy. Novelty, for example, is dramatically reduced in secure care compared to the world beyond. Novelty comes in the form of things that happen with peers on the "down low" and away from the gaze of staff. Another significant source of novelty is the personalities, interactions, and relationships youth develop with staff. Importantly, seeking out new people, new situations, and new ideas does not specify how teens will react to them. They might adopt or reject (or neither) what they encounter on their quest. Sometimes counterexamples can have a powerful impact, a sort of "I never want that to happen to me" or "I don't want to be like that" lesson. What is different in secure care compared to life "on the outs" is the dramatic and intensive efforts at social control. Even in this restricted context, however, developmentally-appropriate, autonomy- and novelty-seeking behaviors, and the reactive resistance that often accompanies efforts to control them, persist.

Identity formation implicates moral development, characterized by "developing identification with one's social groups, becoming responsive to the expectations of

others, and defining one's place in the community as formal social roles are assumed" (NRC, 2013, p. 186). Moral development, like identity formation, is a complex process. Although I do not focus here on the moral aspects of adolescent development, one particular aspect is relevant to life in secure care and to the interactions between youth and staff. Adolescent notions of morality are dominated by notions of fairness and reciprocity, where respect and approval are foregrounded (Baumrind, 1996). These two features of identity formation in adolescence – the pursuit of autonomy and moral development – mean that youth are often sensitive to, and sometimes resistant to, social control efforts, especially when they perceive agents of social control as illegitimate (Fagan & Tyler, 2005). Estimations of legitimacy can positively affect the compliance of those subject to the decision-making authority of others (Gladwell, 2013). As Gladwell notes insightfully, "when people in authority want the rest of us to behave, it matters – first and foremost – how *they* behave" (p. 207). If this statement is true about compliance for "the rest of us," its truth is only heightened in terms of adolescents.

Combining this concern about the legitimacy of social-control agents with the research finding that youth are sensitive to expert adult advice in helping them to curb risky behaviors raises the challenge of determining what makes social control agents legitimate in the eyes of youth. If secure care youth perceive staff as legitimate, research shows that there is reason to believe they will follow at least some of the cautionary advice they are given by staff. And further, I argue, if youth identify with staff and see them as positive role models, they will be more open to the treatment advice given to them.

Identity Defiance: Provocation and Backlash

Revisiting Cottage Summit, one final example is emblematic of how youth defiance can implicate identity concerns. In this example, Marco gets into trouble for

gang writing in a letter he wrote. Staff inspect youth mail for contraband. Gang writing is forbidden in secure care and thus its presence in letters is considered contraband. Jordan's characteristic, in-your-face confrontation with Marco enraged Marco. Marco maintained his innocence, saying that the writing in the letter he had written was not, in fact, gang writing. Jordan put Marco on security, both for the violation and his angry reaction to it, and sent him to his cell. There, Marco reportedly punched walls and furniture for hours and whistled his gang call repeatedly. When I asked staff for an explanation of Marco's gang calls, I was told they were "an assertion of identity – a kind of 'You can't tell me what to do. You can't change me. I am who I am.'" The rule violation was based on Marco's spelling of "cousin" as "cuzin" – a common Norteño gang way of writing the word to avoid having to write the letter "s" (which is associated with Sureños, the name of a rival gang). A couple of days later when I was able to speak to Marco, he had regained some composure about the incident (even though he was still living with the consequences of the violation). He said with a grim smile and shrug, "Well, at least I know how you're supposed to spell "cousin" now. I've never been too good in school."

Notice how the provocation, instigated by the manner of confrontation with Jordan, pushes Marco to "make it personal" and assert his identity: Here a gang identity, one that life in secure care, through treatment groups and interactions with staff, has asked him to call into question. The incident appears to push Marco to make a choice. Quickly and under the influence of an emotionally-charged situation, Marco clearly and emphatically swears allegiance to his gang. It is only later that Marco can muster a more considered (cognitive and savvy) response. Whatever has happened in secure care for Marco, up to that point, that may have caused him to wonder about altering his plans and purposes in life is gone, at least for the moment. Some might say that Marco just showed his "true colors." But could it rather be that he was pushed to this position, not

as some authentic expression of self but rather in opposition to the (perceived) attempt to control him?

This kind of provoked defiance is not uncommon in secure care. But in Cottage Summit, youth were more routinely pushed to their breaking point than those in Cottage Bravo. One Cottage Bravo youth made an insightful comment when he compared his secure-care stay to a different cottage in the same facility with a reputation for being "stricter." He said, "You don't want to break a rule [in that cottage]." When I asked if he thought he could have been successful there, he shook his head and said, "'Cause I know I would've snapped. I would've been just as rebellious as all of them." The maturity of this 18-year-old's awareness that his environment affects him is notable. But also, as the Gladwell epitaph beginning this chapter intimates, in the absence of staff legitimacy, in secure care a backlash can result. That backlash can manifest as open rebellion and riot, or it can be a silent undercurrent of resistance, or anywhere in between. No matter its precise manifestation, it can impede treatment effectiveness by derailing the decision-making skills of youth.

To return then to the three potential outcomes of what occurred in Cottage Summit, I argue that Cottage Summit's harsher treatment environment triggered defiance and created a barrier to treatment learning. The close connections that youth are able to make with staff can serve as protective factors guarding against this barrier, but absent this connection, it is unlikely that youth will be open to learning, especially in the short-term. Although it is possible that youth may make prosocial decisions by seeing negative examples (antirole models) exhibited by staff, given the often-abundant examples of negative behaviors in their lives up to this point, the more productive identity impact is a positive one. Further, given the tendency for youth to bristle at efforts at social control, ones that are also deemed unfair seem more likely to push youth away from law abidance than to encourage it through counterexample.

A few comments are in order. First, it is important to note that my critique of treatment environment is not a critique of treatment substance. Generally speaking, secure-care youth are in dire need of competency development. Treatment content is an important part of what can help equip youth toward law abiding, prosocial behaviors once they leave secure care. Second, the above example between Marco and Jordan could leave the impression that Jordan's confrontation with Marco is what I contest. Setting aside for the moment the accuracy of the violation, such an interpretation would be mistaken. Many staff and even some youth come to see that being "called out" on their lies and problematic behaviors is productive. I agree. Importantly, the issue here is not about whether to confront youth about their behaviors but *how* that confrontation occurs. The kind of provocation or confrontation that generates defiance, particularly sustained defiance, is the problem. Finally and relatedly, my analysis might appear to suggest that a program that sets a high bar for the performance of staff and youth is inappropriate for secure care. Again, this interpretation would be mistaken. A challenging environment, one that pushes youth to learn new skills and to take positive risks toward envisioning new possibilities for their lives, is altogether appropriate for secure care. Again, it is not the content but the treatment environment that I critique. Ambitious programming meets its greatest challenge in implementation, and how staff conduct that implementation on a day-to-day basis can make critical differences in treatment success and failure.

Developmentally Appropriate Interactions and Youth Identities

Perhaps it should go without saying that there is diversity among secure-care youth. They differ in a number of important ways that affect the kind of treatment content they need from secure care. They vary in terms of their age and the different delinquency risk and protective factors that they present. Some have learning

disabilities; others have mental health issues or substance abuse issues. They have different family backgrounds, including their racial and ethnic backgrounds. Some are in gangs; some are not. They come to secure care with different competencies and deficits. Despite this diversity, and though they may be in different places along the pathway, all secure-care youth are working on developmental milestones, the achievement of which helps them to be more prepared and more mature to face the world upon release.

The challenge is to provide teens with the experiences, relationships, and competencies they need to accomplish these developmental tasks, to keep them alive and safe, and ready them for adulthood. This challenge is one step along the pathway of normal child development. For youth in the juvenile-justice system, advancing them along this developmental pathway will help to put them at decreased likelihood for further delinquency. But in a secure-care setting, the challenge is more considerable because the difficult conditions of confinement do not easily allow for the kinds of activities that adolescents most need.[60]

One critical developmental milestone that leads to a decrease in delinquency, and one that will be discussed at length in Chapter 8, is legal socialization. Understood as "a developmental capacity that is the product of accumulated social experiences in several contexts where children interact with legal and other social control authorities" (Fagan & Tyler, 2005), it is easy to see how secure-care staffs' efforts contribute to the legal

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[60] A primary and stated goal of the juvenile-justice system is to address the criminogenic needs presented by youth upon entry to secure care (Utah Juvenile Disposition Guidelines, 2015). The principle of criminogenic need is that these dynamic, changeable factors, if addressed by the juvenile-justice system, can decrease the likelihood of further delinquency. Criminogenic needs, identified by the individualized risk and assessment instrument used by JJS and the juvenile court, include antisocial behavior and attitudes, association with antisocial peers, substance abuse, and education and family problems. Nothing in this research contests this risk/need approach to delinquency. Rather, this research is complementary insofar as it suggests factors that may inhibit a risk/needs approach from achieving effectiveness.

socialization of youth. To put it plainly, if youth are to achieve legal socialization in secure care, it will mostly likely occur because secure-care staff role model the kinds of obligations and social commitments that lead to law abidance.

The relevant lesson to be gathered from comparing the Cottage Summit and Cottage Bravo treatment environments from the perspective of brain research and identity formation is that the way youth feel they are treated in secure care, including their estimations of the legitimacy of the staff who work with them, can make important differences in how they respond to the treatment content that staff provide. Lack of positive identification with staff, estimations of staff illegitimacy, and the presence of negative emotions can mean that treatment messages are reactively rejected instead of thoughtfully entertained. Emotionally-charged moments can be ones that override positive ones in the minds of youth, especially when those moments trigger judgments of unfair treatment. Suppressing negative emotions to take action is hardest for adolescents, perhaps much harder than it would be for (adult) staff if placed in a similar situation precisely *because* secure-care residents are adolescents. Defiance is age-appropriate; triggering it means that youth will not think as well and will be vulnerable to the more troubling aspects of the adolescent brain function. Secure-care treatment environments can, at times, work at cross purposes to the explicit goals of treatment and the developmental needs of secure-care youth. How secure care staff conduct themselves – how they gain legitimacy (or illegitimacy) *in the eyes of the youth they serve* – can affect identity formation, treatment receptivity, and legal socialization.

Key to these insights is the central role of interaction. As shown in Chapter 5, interactions affect interpretations of accountability and staff assessments of residents. Identity formation *relies* on interaction, even though it can look like an exclusively individual project. The formal and informal treatment efforts of staff and the resulting interactions and connections between staff and youth are important factors that affect

identity formation. Further, those same interactions can help to legally socialize youth. Interactions serve as data for youth estimations about the legitimacy of staff. Positive interactions and the resulting identity impacts can serve as protective factors for youth, making them more likely to internalize the treatment content presented to them and more likely to accomplish the developmental leaps presented by adolescence. The stakes of these interactions, I argue, are high.

This chapter demonstrates that *treatment* in secure care has at least two important valences. Treatment refers to the substance of what is made available to youth in the pursuit of competency development – skills and knowledge. This valence of treatment is *treatment as content* and is a primary focus in secure care. Secure care accomplishes *treatment as content* through a range of programmatic offerings as well as through informal contact between youth and staff. Competency development is a major aim of these offerings. A less commonly discussed valence of treatment is also relevant to secure care. *Treatment as process* contemplates how the myriad interactions between youth and staff occur and the environment that results from a consistent approach to those interactions. This chapter demonstrates that *treatment as process* can make a difference in how *treatment as content* is received by youth and what kinds of identity formation and legal socialization occur in the secure-care context. The recognition that both *treatment as content* and *treatment as process* are consequential to youth development is one of the primary insights of this chapter.

Finally, this research suggests that identity impacts resulting from interactions between youth and staff are ineliminable because of the central role identity formation plays in the lives of teens and because of the close proximity and lengthy duration of contact between them. But these impacts need not be negative. The promise of these identity impacts is significant: greater amenability to treatment, law abidance inspired by identification with prosocial adults, and internalized motivations to stay crime-free

and lead productive and prosocial lives. Paying attention to the ways secure-care youth understand their environment and how adolescent development affects that understanding can serve to guide and adjust staff-youth interactions in ways that best facilitate successful secure-care treatment and youth development. In recent years, a developmentally-appropriate approach to *treatment as content* has drawn increasing numbers of supporters in the juvenile-justice system (see NRC, 2013; Scott & Steinberg, 2008; Steinberg & Scott, 2003). This approach, proponents contend, can affect stubborn juvenile recidivism rates and respond to political pressures to eliminate the juvenile-justice system entirely. My research suggests that a developmentally-appropriate approach to treatment environment – in terms of *treatment as process*– can also yield significant and complementary benefits.

CHAPTER 7

"LET ME 'SPLAIN YOU SOMETHING": STAFF PROFESSIONAL IDENTITIES

> The culture of JJS [means] that for staff, … nobody showed them how to do it that way, or they were just kinda left to do it on their own. Nobody showed them, so how would they know [how] to show somebody else? How would they help to show somebody else? Then [there is] also the vulnerability, I mean your reputation is so important [here] which is very different—I'm not used to that. I'm used to your performance being important, not your reputation.
> ~ JJS case manager

> We have done things certain ways in JJS not because we are lazy, stupid, inefficient, or stubborn (although we are all those things to some degree--we are, after all, government employees) but because the job and the goals of the job ultimately mandate it. It is not for lack of insight or desire to improve that [veteran] staff sometimes struggle with change--it is that after working through a never-ending sideshow barker's parade of better mouse traps and snake oil, we know what will happen. A new, "better way" will be instituted by a new regime, and most of the efforts and resources of the previous way of thinking will be cast aside. Been there, done that, bought the T-shirt.
> ~ Follow-up email correspondence, JJS staff member

Sitting in staff meeting, I am at a boardroom table with Jordan, Mike, Ana, Kimball, and a few other staff, including the supervisor. We are talking about what happened last night during the facility-wide treatment groups. Mike, Kimball, and I had been at Family Night with several boys and their parents. Jordan, who led an alternate group on "self-motivation," says that his group went well and lasted for about 40 minutes. After it was completed, while waiting for Family Night to end, "I let them watch some of my aliens movie. During the movie, a few of the boys exchanged some words, and suddenly one of them popped up and postures at the other. I put my hand on one resident's shoulder as he was about to get up and said, 'Remember where you are.'

He sat right back down!" He looks at me and provides an explanation, "A kid from another cottage, who just arrived flicked his leg at me. That's a gang-related challenge." To everyone, he continues, "but I handled it verbally." "That's why Zach looked like he was going to cry last night," says Ana as much to herself as to anyone else. Zach had been in Jordan's group. Jordan continues by saying that he then took all the boys back to their rooms and held a quick facility-wide staff meeting to talk about what happened.

Conversation drifts to how the incident reminds staff of other prior residents. "New kid reminds me of that Swift kid we let out last year… Did you hear how Swift's already graduated from college and is a Green Beret now?" This joke yields hearty laughter and highlights the efforts by the "new kid" to talk big and to posture in a way that reminds staff of Swift, a resident renowned (and, in some ways, beloved) for his outlandish lies and self-glorification.

The joke prompts stories about other prior residents, told partly because I am present and partly to reminisce. Once the stories dissipate, staff seem to move their aim to each other as they discuss resident ratings for the week. I am startled by how brutal they are in their treatment of one another, though I come to see this behavior as usual in staff meeting. Mike says to Kimball, "Why don't you just shut up for one second while I finish my damn sentence!" Kimball's retort is expressed as an aside: "Well, they've got a mama in Mike. Come suck at the titty, boys." He makes a crude gesture symbolizing a woman's heavy breast, insinuating that Mike placates residents as a nursing mother would a fussy baby. Jordan accuses another staff person of "whining all day about everything around here" to which she holds up her hand to stop him, pushes back from the table, and says forcefully, "Shut up! Don't even start with me today!"

For his part, the supervisor seems a little uncomfortable about these behaviors and tries to redirect them to the task at hand: deciding youth ratings and levels. In response, Kimball goes on the offense, accusing the supervisor of being a "marshmallow"

and reminding him how lucky he is that he, Kimball, is around to enforce cottage rules. The supervisor gives Kimball a long look but desists. Kimball appears unfazed.

The decisions to be made about level assignments are not too hard today. Things have been difficult in cottage lately with lots of problematic behavior. This week's room searches yielded half a pair of metal scissors (with the other half still missing), a pill encased in a Chapstick,[61] porn, and food likely stolen from the facility "general store." Most boys will receive a "level drop," except perhaps the several youths who are already at the lowest levels of regular privileges. The youth caught with the metal scissor half will go on restricted programming.[62]

Back in cottage, during the levels group which follows staff meeting and during which youth receive their level assignment for the week, the announcements are met with silence but not anger. Jordan makes the announcements, reading them one by one and quickly, not stopping, as he sometimes does, for commentary or explanatory interaction with the youth receiving his result. When he finishes, he leans back in his seat at the couches and looks at all the boys around him. "We expect more from you. We have high expectations because there are things you need to learn before you can go back out there [in society]." He talks about how inappropriate it is to have so much contraband found in the rooms and how they are putting each other at risk by their poor choices. "What tells me the most about where you guys are at is that we *warned* you about the room searches coming up. You guys can't even get shit out of your room in time for room searches you knew were coming!" His tone is acerbic and hard. He makes snide comments about several of the boys and their struggles. Somehow the usual

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[61] Some residents would "cheek" their medications or regurgitate them after swallowing them, saving them for later to take in larger doses, to crush and then snort, or to sell to other residents.

[62] Over the next several days, I watched staff members conduct a thorough search for the other half of the scissors, clearly motivated to find them for the sake of everyone's safety. As far as I know, they were never found.

lighthearted jokes about Mr. No Empathy and kids as “walking thinking errors” feel more like personal attacks today. Jordan talks about how the rules are designed to keep the environment safe for all of them and that their disregard for those rules shows him that they are not yet ready to leave. The boys sit in stony silence.

Jordan keeps talking, lecturing the boys about using this time to better themselves so they don’t go out there and screw up. He tells stories from his own upbringing, but today the stories do not resonate with the boys. Instead, I see their muscles tighten and their eyes, often unfocused during groups like this, focus and intensify though they avoid eye contact with anyone. I can feel their building agitation. I realize that I am sitting with my arms and legs crossed and my awareness of the room around me is heightened. Jordan’s body is the only relaxed one in the room. He is using half of one couch to himself and everyone around him has ceded as much personal space to him as possible. I contemplate getting up and retreating to the staff office. It would be easier. But I make a deliberate decision to stay, even as I assess my current placement on the ring of couches as vulnerable. Another staff person on the couches with us is sitting forward in his seat, ready for action should it become necessary. His hand is resting on the shoulder of one particularly agitated resident, who appears to interpret the touch as supportive or at least neutral.

After what feels like an eternity but is actually about 10 minutes, Ana, who has been pacing around the day room behind the couches, moves off to one side of Jordan and interrupts him. She speaks slowly and clearly, looking at anyone who will look at her. “I know it can be frustrating to you guys because it often seems like there are new rules around here. Staff give you guys privileges for doing well. Time goes by and you get used to those privileges. Staff does too. We get used to it too. But then we have to remind you about the rules and reimplement them. I know that feels hard sometimes.” She pauses for a breath. Jordan doesn’t take the floor again. A few of the boys are now

looking at Ana. I am too.

"You know, staff aren't perfect. We make mistakes too. But we do work to find the best way to do things. We are trying to think of you when we decide what to do next." At this, I see bodies around the room begin to lighten and more heads rise to look to Ana.

Jordan starts up again with his lecture. Ana defers, and the atmosphere deteriorates again. It does not last much longer before he releases the boys. Most choose to go to their rooms. Jordan goes to the back office. Only when Ana is done letting the boys into their rooms does she look at me. "Disaster control," she says with a grim smile.

Working in secure care presents particular challenges that come, in part, from conditions of work life in a total institution. This chapter discusses the ways staff think about how they do their jobs, their approaches to their work, and how they respond to the particular working conditions in secure care. In this chapter, I begin with an overview of the training provided to secure-care staff. Next, I discuss common approaches to working with secure-care youth. I then examine some of the different ways that staff come to see their professional identities and the roles they play in the secure-care setting. I demonstrate how staff and youth participate in an interactive and collective process that affects the professional identities of staff. Specifically, I argue that pervasive contestation around the proper role and philosophical approach of staff and the influence of prolonged interactions with secure-care youth work to degrade conceptions of professional identity over time. Finally, I explore how staff coping mechanisms result in patterns of behavior that can compromise the effectiveness of the treatment services provided to youth.

Secure-Care Staff Training

When JJS staff (including secure-care staff) are first hired as full-time employees, they register to attend the division's week-long, 40-hour training course for new employees, called Basic Orientation Academy (Academy). The Academy is designed to be relevant to all JJS employees, whether they work in an early-intervention program or secure care or anywhere in between. I observed an Academy training about halfway through my fieldwork. The course began with an overview of the history of JJS. It covered issues such as juvenile-court process, legal issues, and security procedures. Special topics addressed at the Academy include working with girls, sex offenders, mental illness, LGBTQ issues, dating violence and domestic violence. One full day's worth of time examined "what works" with juvenile offenders, providing an opportunity for staff to learn about relevant research and evidence-based practices. The Academy also covered delinquent personality, cultural competency, gangs, and drug recognition.

Completion of Academy training usually occurs within the 1st year of hire, but sometimes staff have considerable work experience before attending the Academy. One factor that lengthens work experience prior to Academy attendance is the fact that part-time staff do not attend the Academy. Since secure-care facilities often hire part-time workers for full-time openings, some new full-time staff already have many months or even years of part-time work experience before attending the Academy. Also, historically and due to budgetary limitations, the Academy was offered only intermittently. Thus, the Academy sometimes included "new" staff with years of work experience.

In addition to the Academy, staff receive other training. One major offering is called Integrated Crisis Response training (ICR). ICR training takes a full-week initially and then recertification is required every 6 months. The curriculum includes techniques for verbal deescalation of conflicts and for physical, "hands-on" techniques for crisis response. I observed staff taking the "hands-on" portions of ICR certification. Apart

from this dissertation research, I have also participated in the "verbals" portion of ICR. During my study observations, other staff training occurred within secure-care facilities on topics such as first aid, new policies, policies and procedures review, and other issues within the local facilities. Historically and currently, though not at the time of my research, an annual JJS conference was offered for all employees, giving staff the opportunity to attend special workshops on various topics.

I had several conversations with staff about training, usually during my observation time but sometimes in staff interviews. Generally, staff appreciated training, especially the opportunity to learn and interact with others. One person said, "For me [the Academy] was a really beneficial experience because it allowed me to see my limitations and the expectations. Also, honestly, it gave me a break from the facility. That's one of the things you love when you're working in [secure] facilities — the opportunity to get out and not have to be directly in there behind the walls all the time."[63] Other staff talked about appreciating the verbal deescalation techniques taught to them in ICR.

Despite the advantages, many staff also felt that the training opportunities did not adequately prepare them to do their jobs. As mentioned in Chapter 6, staff sometimes felt unprepared to run treatment groups. But concerns about training also involved the basics of appropriate interactions. As one staff person put it,

> As staff, we're not trained on how to appropriately engage in treatment. We're not taught about how to talk about issues. I think the title of counselor is so misleading. It's somewhere in between a therapist and a friend. What is the [proper] role? … Where [are] the ethical limitations? Do I talk about religion with a kid? Can I talk about sex with a kid? Can I talk about the things that have happened in [my] past with a kid? I mean what [are] the boundaries and what are the roles? It's very nebulous. We get to kind of decide that.

In fact, when I expressed some hesitation to this staff person about her advice to seek

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[63] In this comment, one can see a direct staff acknowledgement of the impact of secure care as a total institution on staff. Staff also sometimes made reference to things that can happen "here" that couldn't happen other places.

"immersion" in my secure care observations, I did so on the grounds of my lack of training to be a counselor. Her response was, "Okay, [then] you have the same amount of training that the counselors do! That's where I'm saying the issue lies … because it's just hedgerow psychology,[64] right? It's, 'Okay, I think I'm gonna say something hopefully beneficial here.'"

In addition to the problem of unclear role and ethical boundaries, the proper place of the individual staff person within a larger programmatic treatment effort was also at issue.

> Some of the counselors, especially on a secure unit, just don't care. They don't care to know; they think they're the end-all, be-all of the process. Then it's *their* relationship with [the youth that matters most], because they hammer this in [the Academy] that your relationship with the kid is the most significant aspect of their treatment, especially in a secure [care].

Claims of inadequate preparation were also about the disjuncture between information acquired in training and practice "on the ground." As one fairly new staff person told me,

> It's like this: you go to the Academy and get your head all filled with great information. You come back to work all excited, and some "old-timer" [staff who have years of work experience], takes you by the arm and says, "Let me 'splain you something. I know they taught you all kinds of fancy stuff at the Academy, but let me tell you how it really works around here."

In other words, many newer staff felt their work environments did not support, or perhaps even allow for, the incorporation of "what works" in the treatment of juvenile delinquency. In fact, this was sometimes true both for Academy attendees as well as for those who had relevant educational training in areas like social work. Apart from the factual information (e.g., drug identification, local gang trends, security protocols) then, the training sometimes did not prove very helpful to staff.

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[64] In thinking about what my interviewee meant here, perhaps "armchair psychology" may have been a more common expression. I believe that my interviewee meant to conjure an image of someone giving advice to a neighbor over the hedgerow dividing two household properties.

Of course, not all staff felt the same way about their work and the preparation they received to do it. But most staff felt that learning "on the job" was the predominant mode of training. That learning took two primary forms: learning by doing and learning by watching. Because the Academy occurs months, or even longer, after one begins the job, learning by doing is the default training mechanism because you are "thrown into" the work and expected to contribute immediately. One also learns by watching others do their jobs. Over time, new staff see what seems to work for others and how they handle situations. The contrast to one's own approach can stimulate them to try new approaches.

Another part of learning by watching, though still informal, involves a more active role for others. Some "old timers" proactively mentor new staff, giving them tips on how to handle different situations. These informal mentoring efforts are highly influential in secure care. As discussed in Chapter 5, these interactions are ways that staff build support for their framings of a situation. If they can build a shared interpretation in their cottage or facility, their vision of accountability or treatment can hold more sway in the handling of particular resident cases. They also help to create relationships or alliances among staff, like that which often occurred between Mike and Ana. By extension, as I discuss below, these shared interpretations and alliances present an opportunity for staff to affect the cottage treatment environment and ultimately, even treatment approaches. The first epigraph by a JJS case worker suggests how the lack of formal training impact can yield workplace effects.

In sum, staff receive training on a variety of topics and in different venues, but on-the-job learning is the predominant mode of skill-development. Staff learn mostly by watching and by doing, although in some instances informal mentoring of newer staff by more veteran employees occurs. Those informal interactions are powerful in the secure-care setting. In the end, formal training often fails to reach practice for reasons that have

largely to do with the interpersonal environment in the cottage, both in terms of how staff relate to each other and how staff relate to youth.

Continua of Care: Philosophical Approaches to Working with Youth

Despite the unevenness of the training received, JJS staff have common ways of thinking about how they work with youth. These ways of thinking are frames, as introduced in Chapter 5, but more precisely, they are the solidification of frames. They are still produced in interaction but are less volatile and have a shelf life that extends beyond an immediate interaction. For staff, they serve as longer-lasting, generalized narratives that express the work they do, at a more philosophical level, across youth. The narratives also influence staff in-the-moment in terms of how they do their work. In what follows, I call these ways of thinking "approaches" both because it is the way my research participants characterized their own thinking and because it is action-oriented and speaks not just to ideas but to implementation.

Staff commonly characterize approaches to working with youth in terms of continua. For example, a typical continuum was explained to me by a secure-care supervisor. On one end, there is the "hug-a-thug" staff member, someone who thinks kids need to be nurtured and that the relationship between a youth and staff person is the key to their rehabilitation. Staff with this perspective are often viewed as "rescuers" and "saviors." On the other end of the spectrum is the "militaristic" staff member who focuses on obedience and enforcement. They are considered "black and white" thinkers who fail to consider the particular struggles of individual youth. Militaristic staff focus on their custodial responsibilities, on rule-following, and maintaining order. They might be called "tough staff" or sometimes "old school."

Other staff use different language, perhaps less extreme, to characterize

approaches. They contrast a relational approach to a correctional approach. The relational approach emphasizes getting to know youth and the issues they face. Some might characterize this approach as a "treatment" focus. Others might call this being "soft" with youth. The correctional approach is also referred to as using "power and control" with kids, and is typified by the idea that "you need to make them really uncomfortable; this is prison!" More often, it is the correctional approach that gives voice to accountability as punishment. Staff who self-characterize as "tough" or "disciplined" suggest that relational staff allow themselves to be manipulated by residents. Kimball calling the supervisor a "marshmallow" and his reference to Mike as a "mama" expresses criticism of the relational approach. Staff who self-characterize as relational suggest that the correctional approach is simply a bandage, getting youth to behave while in secure care but not really addressing the underlying problems causing delinquency.

These distinctions between staff approaches form a continuum because elements of a staff member's behaviors fit in a range that contrasts with others. Most staff situate themselves somewhere between the two extreme ends of the continuum. One supervisor I interviewed talked about the pursuit of balance, by individual staff members, but perhaps more realistically, by a team of cottage staff. Several supervisors talked about working regularly with their staff to modify approaches and to help them see value in a diversity of approaches across team members.

Different approaches to working with youth serve as a running debate among staff. Many staff wear these labels (e.g., tough staff, treatment-minded staff) that they personalize for their own purposes. They advocate their particular approach to working with youth through how they frame their contributions in team meetings. Many also lobbied me about their approaches. During my observations, they narrated or dramatized their approaches (at varying levels of consciousness). I only found the most

disengaged of staff members to be uninterested in these roles, seeking instead just to get through their shifts. In the words of youth, these very few disengaged staff were (in the words of youth) "just in it for the paycheck" and were less interested in "what works" with youth. Most staff, however, engaged this debate over approaches, albeit not always directly or consciously.

These different approaches were at once deeply held and fiercely contested. They came to function, in part, as staff professional identities on a day-to-day basis. Staff used them to locate themselves along a continuum of approaches to working with youth and to negotiate their way through the labyrinth of challenging interpersonal interactions with youth and coworkers. Providing an internal compass of sorts, these labels – some of the constitutive material of identity – direct behavior and help staff to repeatedly find their place in secure care. Much staff knowledge about how to best handle situations with youth occurs at the tacit level and is largely unspoken. Yet staff also dramatized their approaches to me over time and worked to verbalize them through casual stories and other means. One staff member who had recently learned that he was transferring away from the cottage where I observed to a different cottage said to me, "I'm gonna go over there and just *be me*. I think she [the supervisor] thinks I'm going to follow her, but she's gonna have to see. I mean I'm part of a team and everything, but I'm still going to do my thing." He smiles, taps me and says, "You watch."

These insider characterizations bear some relation to the criminology and juvenile-justice literature. Sykes (1970) writes of the process of negotiation between prisoners and guards to produce order and argues for its inclusion in formal prison governance. DiIulio (1987), by contrast, argues that a "control" philosophy involving clear rules and their enforcement is more effective in prison settings than negotiated agreements between correctional staff and inmates. These studies deal with adult prison settings where efforts at prisoner rehabilitation are historically more side-lined than in

the juvenile-justice system. Lin (2000) notes the importance of communication between prisoners and correctional staff in the implementation success of rehabilitation programming. In terms of juvenile institutions like secure care, Feld (1999) writes that they "constitute particular hybrids that combine elements of both mental health and *parens patriae* ideology with the ordinary criminal justice system. But, if 'treatment' differs from 'punishment,' then juvenile corrections must do something more than simply confine criminals" (p. 275). Indeed, in its primary work as a "people changing organization," secure-care facilities often consider their staff and the relationships the staff build with youth and with each other as the strongest tools they have at their disposal (Feld, 1977). Inderbitzin's (2007) ethnography of a maximum-security juvenile training school finds conflicting roles that staff serve to provide both custody services and treatment. She finds that the amount of treatment provided is based on the particular staff member's approach and acknowledges the often spare training staff received.

Consistent with Inderbitzen's insights, there is no consensus among secure-care staff about how they should engage youth. With the move toward evidence-based practices and the belief that "evidence" favors certain approaches and techniques, there is movement toward more consistent approaches (and training to match). But for reasons outlined above, this direction sometimes does not reach secure-care practices. Even when it does, staff tend to find the instruction insufficient in part due to an experiential reality for staff: Nothing works all the time. Staff know this intuitively, and the diversity of staff member approaches allows them to demur to others when their particular approach is less effective in the moment. Consider Jordan's willingness to allow Ana to interrupt his lecture in the opening scenario. Although he never acknowledged it, Ana's actions helped to lower the tension in the room in a way that allowed Jordan to continue and to do so without physical confrontation. Many staff, no

matter what their philosophical approach, will pragmatically use whatever technique they think will work in the moment to accomplish their immediate goals, drawing not only from their own repertoire but from that of their colleagues.

Even staff that are less interested in establishing relationships with youth know that attention to communication and psychology can assist in maintaining order, helping to ensure physical safety, and furthering treatment goals. I repeatedly saw and was surprised when correctionally-oriented staff would deescalate an angry youth by validating his feelings, acknowledging his accomplishments, and expressing care. Of course, not all encounters ended peaceably, but a surprising number of potentially violent situations did. Lin (2000) too found that correctional officers' use of psychology helped them to do their jobs effectively.

There are overlapping ways of being in secure care that are contested in everyday operations. For every anecdotal success story, staff have other experiences to counter it. Individual staff members may find enough conclusive evidence over time to determine "what works" best in their own minds, but that "settling" does not occur definitively in part because of the range of youth personalities and issues that come to secure care. In addition, staff are always exposed to multiple interpretations and the active framing of others who work in the setting. So, even if staff were told definitively which approach to favor, there is still some question about the persuasiveness of that "settling." Indeed, as the second epigraph indicates, staff in JJS have a "flavor of the month" skepticism for new approaches, and part of being "old school" expresses that skepticism as both resistance and identity.

Pursuit of an often precarious and always temporary equilibrium – commonly a tacit agreement about how to handle a particular situation – does occur in secure care and is necessary for a couple of reasons. First, as mentioned in Chapter 5, a temporary equilibrium helps to preserve order and prevent several undesirable (and sometimes

violent) outcomes. Second, temporary equilibria allow the different framings of a situation and varied approaches to continue to exist side-by-side in the secure-care setting. There is no need for a definitive settling of preferred approaches when that equilibrium continues to shift and change with the situation across time. Staff can coexist without needing to make a final decision about philosophical approach. And yet, as I explain later, this lack of "settling" entails significant negative effects.

What also occurs is that staff compete, often not consciously, with others for the esteem of kids. Much of this competition is subtle and about demonstrating, through one's popularity and reputation, that one can make effective connections with youth. In this effort, staff can work to be perceived in particular ways: as cool, as athletic, as nurturing, as fun. That they may work to be accepted by the kids can seem like a kind of odd role reversal. This bid for acceptance by youth happens for other reasons as well. One reason is that secure care is an opportunity to show youth a different way of life. That alternative must be compelling in order to stand a chance of competing with the glorified vision of life that many of these teens associate with gangs, drugs, and criminal activity. Often the end result is that staff compete not just with the prior lives of youth but also with other staff for the affections and allegiances of youth in their bid to get youth to change their lives.

Several staff explained to me efforts by other staff to get youth to like them. One talked about how athletic residents can inspire staff to want to associate with them in case the youth ends up famous one day. "They'll go out of their way to put together a new program that involves athletics … just so they can spend time getting to know that kid, cuz that's their niche." Wanting to be liked can set up problematic dynamics, as articulated by one staff member: "sometimes the staff want the kids to like them, so they'll waffle on issues that [they] probably shouldn't—or they'll … disclose things about their past to try and make themselves feel [connected to the youth]." Being liked can

also help to increase a staff member's sense of personal safety. I heard several stories about the efforts youth would take to ensure the physical safety of a favored staff member. An adult prisoner in Lin's (2000) research observed, "Every guard here is trying to win a popularity contest" (p. 49). For several reasons, this observation is also true for secure care.

In summary, individual staff locate themselves on different places on a couple of continua in terms of their philosophical approaches to working with youth. Some workers are more correctionally-oriented; others are more relationally-oriented. Still others think in terms of the extremes of hug-a-thug and militarist approaches. These approaches, and the range of intermediate positions occupied by staff, were deeply held by staff members and sometimes fiercely contested in the context of secure care life. In terms of a specific youth or situation, staff members frame them in certain ways and then lobby for particular actions. They do so explicitly and also by demonstrating their approaches in "real time" with youth. They compete with each other for the affections and approval of youth for many reasons, including to demonstrate the superiority of their own approach and to entice youth to better life choices. This contestation and competition results in the achievement of temporary equilibria but never final resolution. That no one approach ever "wins" means that a diversity of approaches continues to exist in the secure-care setting.

Role Models and Models for Roles: *Parens Patriae*

The varying philosophical approaches to working with JJS youth that staff espouse can coexist (more and less peaceably) within different programmatic structures or models for service provision. Correctionally-oriented staff might populate a boot camp, but so might those who are relatively more relationally-oriented. Further, staff do not necessarily apply to work in a specific program based on its model of service.

Involuntary transfers of staff across programs are common at JJS. What this means is that staff with different philosophical approaches regularly work together in programs, including secure care, that have varying models of service. JJS is a tolerant place to work insofar as it is a place of considerable diversity of work philosophy and of youth populations served.

Secure-care cottages differ in the model of services they aim to provide. The model is generally set by supervisors, who are given a reasonable amount of discretion to design their program. My research includes interviews with 12 secure-care supervisors, and shows variation among cottages in terms of the model of services they aimed to provide. Supervisors were the most likely of study participants to articulate a comprehensive model for service provision. For example, some talked about creating a therapeutic environment or a treatment milieu. Others talked about creating a "community" in which youth learned new ways to interact. Some supervisors focused strongly on victim awareness skills both as a way to teach youth to consider the impact of their actions as well as to hold them accountable for the harms they had caused. Other supervisors imposed less formal intentions on the models they aimed for their cottage to provide. Youth and staff commonly made comparisons among cottages or facilities, with youth sometimes finding a better "fit" for their personalities or issues in one general-population cottage compared to another. Some programs were considered stricter than others that were more "chill."[65] A few of my study participants – staff and youth – found themselves reassigned to different cottages over the duration of my study and were able to make some informed comparisons.

Despite this empirical variation, line staff had a small range of responses when talking about the model of services they tried to provide. They tended to think about *the*

[65] As mentioned in Chapter 4, cottages also differ insofar as they are designated for particular populations: general population, sex offenders, and girls.

role they play in the lives of secure care youth. There was general agreement that staff served as role models for youth. But the model for that role varied a bit more. For example, one secure care worker told me,

> I think [youth are] looking for an example, and also to know the difference between right and wrong. And unfortunately, I don't think they always get that. Sometimes we confuse them even more. And you know, … we are humans too. … And that's the unfortunate thing is sometimes when we do have problems, it's hard to leave them at the door. But you know, you gotta to somehow leave it at the door and be able to focus on them and the job.

A case manager who used to work in secure care put it this way, "Modeling is huge. That's … not really talked about very well, but kids are gonna do what they see, and … to a certain extent they're gonna emulate the people around them. I mean, we can't stop that." Compliments of other staff are frequently about role modeling, such as, "[Kimball] has, from my perspective, he's somebody I'd love to work a shift with, just because he knows—he has great boundaries, sets things up, but also gets the kids, understands the kids. He's a great role model for the kids."

Many staff, including supervisors, talked about a family or parental model as the role played by staff, sometimes including references to uncle or aunt or "professional parent." As one supervisor told me,

> I would say you're more in the role of a parent than a friend. The day you become the kid's friend, and the next day you tell the kid 'no,' he's gonna be mad at you because he no longer thinks you have the right to tell him 'no.' You're his friend. I'm a little bit hierarchal in my thinking. I think the staff do need to establish that they're 'over' the youth like a parent would be.

Another supervisor said,

> Yeah. It is [a parental model]. Oh yeah. I'll even tell 'em. 'Hey, yeah, I know I'm the dad in here. I know [Mike or Jordan is] your dad. I know we're parents. That's what we do. That's how we are.' I'll tell 'em stuff like that. [I want them to see that] this is how parents are supposed to be … It's like [Ana's] a mom. They do actually feel like that. [Zach] once actually said something like how different his world would be if his mom was like [Ana].

Yet another supervisor commented on the disruption caused by involuntary staff transfers out of the cottage, saying, "Yeah, the changes are tough, cuz the kids, they get

used to us. They say, 'These are our parents. This is my team.' All of sudden we make a change, and the kids feel, 'Wow, somebody left me again.' [Dealing with] that [abandonment feeling is] the tough part." In relation to staff conflict, this same supervisor said,

> It's really a family unit … It's real because when the parents are arguing, or anything like that, the kids have seen it. They're right there seeing it [when the staff argue too]. I think that they have to see staff come back and work together [again] like it's nothing. 'Yeah we had this issue. It's over with.' Hopefully we're teaching them, 'You're gonna have issues. You can solve it, and keep going. You [don't have] to hold on to those bad memories and stuff.'

Several other staff told me in interviews or during my observations that they knew they played parental roles with youth, either because they saw their role toward youth in that light or because youth viewed them as "parental figures." Ana once told me that she and Mike made breakfast for the boys in cottage. When I asked her if she often spends her own money to buy food for so many teenaged boys, remarking that they can probably eat a lot, she said that she can't help but think of her role as "partly parental." With some embarrassment, she told me that at Christmas she cried when she told the boys that she just really wanted them all to do well.

Another secure-care staff person talked to me about how a youth saw him as a father figure. When that youth got into a fight with his father over the phone, he then refused to talk to the staff "father" for a week afterwards. When things calmed eventually with the dad, the relationship between the staff "father" and the youth also improved. Playing that father-figure role and the transference involved did not feel unusual to this staff person though he also saw the need to manage the future of that relationship. To show his willingness to allow for increased distance between the two of them (imposed by an unrelated involuntary staff transfer), the staff person remarked, "I'm not going to be able to be there for him forever!" The idea that secure-care staff play a parental role with youth echoes the role played by front-line workers who provide

service delivery to citizen-clients generally, in which the "worker knows best" and client-worker relationships take on a familial character over time (Maynard-Moody & Musheno, 2003).

Even when staff recognized the parental role, not all saw it as wholly productive. One case manager told me a story about a staff member who became overly involved with a youth and cried when the youth was placed in a program where she would necessarily have less contact with him. The case manager said,

> Finally … I said, 'You're not his mother. Your role is done. Now it's up to him if he wants to call you and ask for advice, or if he wants to call you when things aren't going right and he needs someone to talk to. It's up to him.' That was hard for her. I was the bad guy for probably six months as far as she was concerned.

A few staff eschewed the familial model entirely, saying it conjured too many difficulties for the many secure-care residents who come from problematic families:

> That's why it would be so hard to not only implement, but to maintain and sustain a family model because you have so many different kinds of families out there, and every staff comes from a different kind of family. I think that's what makes it unsustainable almost, is the blend of staff that you get.

Most often, these staff preferred a coaching model, relying often on athletics as the alternate model. In practice, parental and coaching models did not seem to conflict.

Even while some staff rejected the parental model, in one cottage, staff used familial names to refer to relationships among staff. There, I would frequently hear staff say things like, "your dad is calling" or "your mom needs you up front." By this they meant their direct supervisor, whether that was the facility director or the cottage supervisor. These staff used a familial model to denote levels of authority in the secure-care facility in ways that paralleled their relationships with youth.

Although not a universal perspective, these insider characterizations about the parental role played by staff echo the history of juvenile justice. The idea of *parens patriae*, or the state as substitute parent, has served as an important justification for the juvenile court since its inception (Shelden, 2000; Zimring, 2005). Although the legal

importance of *parens patriae* has lessened somewhat since *In re Gault* and other rulings that formalized juvenile court proceedings and the rights of juveniles, the notion of *parens patriae* is still an animating force in the secure-care setting.

For example, *parens patriae* is particularly apparent in secure care when viewed from an ethnographic perspective. For youth in secure care, their proxy parents are, in fact, their cottage's secure care staff. The state is too amorphous in the lives of secure care youth to hold this practical, everyday role. Instead, they gravitate to particular staff members and, in their varied and individual but always material and concrete ways, they look to get their parental needs filled. Like Zach's relationship with Ana, the parent role for staff can have a profound impact on residents. Mama Ana role-modeled mothering for Zach in ways that captured Zach's imagination about the possibilities for his own life. In the staff meeting in the opening chapter example, Kimball's crude gesture symbolizing a woman's breast evokes (albeit derisively) a parental and nurturing role. The basic idea, commonly supported by staff, is that in many instances the parents and guardians of the youth in secure care have failed them, and part of the role of staff is to parent these youths. Even when delinquency does not seem as obviously related to the quality of parenting received by a youth, secure-care youth are still in need of daily parenting while separated from their parents. Phone calls and visiting in a monitored room once or twice a week for months on end does not allow for the kind of parenting that teens need. Secure-care staff fill that need for parenting for the time a youth is in the custody of secure care.

How staff fill this parental role is significant. Although some supervisors acknowledge this parental role for staff, nowhere did I see it discussed or made the object of formal training. Instead, it was *assumed* as a sort of knowledge every staff person might intuitively possess. Even if they did not have children themselves, all staff had experiences of being parented and would refer to these experiences when talking to

me about their work with secure-care youth. Most staff parented youth either in reaction to or based on their own experiences of being parented. An occasional few used a model learned in school to help mentor youth, consciously aware of how that role became caught up with other notions of parents and families. And to varying extents the experience of working with youth in secure care modified how they played those roles over time. Indeed, the earlier staff comment that was critical of the parental model as a goal for secure-care interactions points to the vulnerability of such diversity of parental role definitions in secure care. No matter how staff came to fill or eschew this parental role, it was never in a standardized, formalized way that was consistent across staff members. Instead, staff serve as "parents" of youth in an individualistic, personal, idiosyncratic way, much in the same way they affected youth identities, as described in Chapter 6. They bring to their parenting their own personal background, enacting their visions or experiences of parenthood with particular, specific youth. For better and for worse in terms of the impact on youth, there is nothing generalized or formulaic about this relationship. It is unpredictable because it is assumed and not trained. It is personal, concrete and specific.

It may be that this parental role occurs partially due to the legacy of the juvenile court. The idea of cottages and cottage mothers and dads during the reform-school years certainly provide an obvious legacy for the parental role (Krisberg, 2005). But it is also true that the role exists simply because adolescents need parents. This need is developmentally indicated and surprises no one in secure care (except perhaps an occasional youth). Youth "adopt" staff or gravitate to them depending on their needs or attractions to particular staff members. They might find a staff person's nurturing or consistent behaviors comforting or admire someone's athletic ability or outrageous sense of humor. Or they might be attracted to someone they perceive as more volatile or unpredictable. The enactment of these proxy parental roles is ripe with psychodynamic

complexities, gender issues and other interactional minefields. Although this may seem to be the case because of the troubled nature of secure-care youth, the important point here is that these interactions and relationships are complex also because of the particular staff that serve as role models: who they are, their personal histories, personalities, and idiosyncrasies.

That staff bring themselves – in all their individualized glory – to their work with youth is likely not so surprising. Indeed, as I have argued, it is in many respects what makes them so effective at connecting with and having an impact on youth. What may be more surprising is that the identities of staff are also (re)constituted in their work with youth in consequential ways.

The diversity of philosophical approaches to working with youth and the range of responses to the tendency to play a parental role contribute to the implication of staff identities, though for different reasons. In terms of philosophical approaches, as mentioned earlier, staff contest the effectiveness of their chosen approaches and compete with other staff for the affection of youth. Staff bring their individual conceptions of the parental role to their work, expressing it in idiosyncratic and personal ways that are often deeply influenced by their own lived experience. Together, these factors combine to give staff a significant stake in the success of secure-care residents. That stake can be thought of as their efficacy and success as staff members. It can look, for example, like a referendum on their approach to working with youth, something that is regularly contested among staff. Rehabilitating these youths can be a heady and sometimes demoralizing responsibility. Over time though, staff members come to identify with their roles as effective providers of treatment and supervision for youth. Their professional identities come to be at stake in the fulfillment of their job duties.

Professional Identity: "Old School" Compared to What?

According to Moss, Gibson, and Dollarhide (2014), professional identity is the "integration of professional self and personal self (including values, theories, and beliefs) … Personal attributes combine with professional training [to form] professional identity" (p. 3). Building a professional identity requires one to "establish a clear foundation and construct a professional philosophy" and a "personally congruent way of being" a professional (Healy & Hill, 2012, p. 55). In the case of secure-care staff, professional identities are built on their efforts to construct a philosophical approach to their work that aligns with their personal selves. This dissertation research shows that professional identity, similar to personal identity, is not only an individual process. It is additionally and significantly a process that involves other secure-care workers, and even other JJS workers generally, as part of a collective, if not coordinated (or even often conscious), process.

As discussed earlier, secure-care staff contest their philosophical approaches to working with youth routinely in their interactions with each other and with youth. They have a stake in demonstrating to themselves, to each other, and to youth the efficacy of their approach, at least in the short-term. Their efforts not only provide interpretations of important BARJ principles such as *accountability* and *competency development*, they also serve to shore up their professional (and sometimes personal) self-concepts in an ongoing battle over "what works."

One way in which this research demonstrates the effect of contestation on professional identity is the idea of being "old school" in JJS. This very common, reactionary response to a shifting target can have different meanings. As one interviewee explained to me, most truly "old school" staff with "a belief system rooted in the punitive, bordering on abusive in extreme cases" were largely rooted out of JJS years ago. These "fascists and/or closed-minded troglodytes" with "hopes of returning to practices of the

old State [Industrial] School" are no longer part of JJS. And indeed, historical events such as the transition from the Utah Industrial School to the Division of Youth Corrections (later to become JJS) did affect how staff approached their work with youth.[66] Currently, those who call themselves "old school" are actually referring to various things, different "old" ways of being and approaches to working with youth. Importantly, "old school" is more commonly a self-appellation than a label imposed on others. It is a professional identity of sorts but one that is invoked strategically and consciously in order to draw contrasts *within* a more diverse group of staff members.

A typical way a staff person might invoke being "old school" is by citing the way some staff do something – deal with rule violations, interact with youth, manage their caseloads – and labeling oneself in contrast. For example, a teacher said to me, "So when staff doesn't follow rules, what message are you sending to these kids? It's a lark. It's just [about doing] time [then] … I'm *old school*, you know?" The teacher went on to define "old school" with reference to tradition (e.g., giving youth a proper upbringing, teaching manners and social graces) and to parameters (e.g., teaching core subjects like the 3 R's, establishing limits and boundaries with youth).

A veteran JJS caseworker, when talking about how younger (newer) staff get unprofitably emotionally invested in youth, said to me,

> When they come out of college they were—for four years it was all theory. It was all this; it was all that. Now they're coming in [to JJS], what they have in mind is, 'You know what, I'm going to change Jimmy, and this is how I'm going to do it. I'm going to use this theory.' — do you know what I mean? … and they go back and they beat themselves up … when it's not working. They'll come [and ask me], 'Why have I not been successful in trying to do this or that?' … That's why I think burnout happens like that [snaps fingers]. You're on your way home and you think, wow, man—I don't know [why that didn't work]. Like I said, I'm *old school* in a lot of ways. Yes, you can make things happen without having to be emotionally tied to them.

And later when talking about the current focus on numbers and caseloads rather than

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[66] Personal follow-up correspondence with study participant.

individualized service provision, the same caseworker said,

> I went out and looked for programs that have a therapist that speaks this family's language and utilized them, but do you know how tough that is to try and do? [My supervisor then comes and asks me,] 'Why are you giving them four therapy sessions a month?' He asks, 'Why, why, why?' Do you see what I'm saying? It's [about] looking at a number. Is it because of money? Is it becoming an issue rather than treatment? Then when I go in and say, 'Hey, this family [needs] two hours of therapy every time they meet,' because an hour is not going to be enough, [they say,] 'Oh, let's just give them an hour at a time.' Fine, but I firmly believe that's where the problem is … — like I said, I'm *old school*. Maybe sometimes *they've* just got to look at why.

Although being "old school" in JJS is sometimes thought of as having a "tough love" approach to dealing with youth, these examples help to show that "old school" can mean different things at different times and to different people. It may add clarity to consider what "old school" is invoked *against*. New ways of working with youth, new approaches to addressing juvenile delinquency, new case management techniques, new rules, new ways of organizing the division – these are common ideas against which staff invoke their "old school" approach. For example, one staff person spoke of "old school" case managers saying, "I think there is a feeling among the more veteran of the group that their skills, experience, and institutional memory has been invalidated by a robotic, paint-by-the-numbers philosophy that prevents them from being creative and leaves them open to criticism and even professional extinction at every turn." The paint-by-the-numbers philosophy is a reference to validated risk assessments and the use of testing and formalized instruments to assist case managers to determine which interventions would most benefit a youth. The second example above by the case worker evokes this definition. Being "old school" shows one to be different, and proudly so, from the "new penology" (Feeley & Simon, 1992) way of managing cases. "Old school" can show that one is vested in one-on-one relationships established with youth based on years of experience, tacit knowledge, and a "feel for the whole" (Schmidt, 1993). The reference to "professional extinction" demonstrates the connection between "old school"

and professional identity.

A staff person I interviewed later wrote to me, suggesting that the "old school" thinking was broader than just case management:

> I think it is common among many, if not all JJS workers who have worked as line staff for more than a few years, to feel that the pendulum of accountability has swung too far in the direction of 'hug-a-thug,' and dare I say it, advocacy over accountability. It would appear that we are doing a disservice to the community that we claim to serve by failing to impose adequate 'interventions' with our youth that fail to follow expectations, thereby falling short in the one area we should make paramount: community safety.

The "old school" identity is most often contrasted with what is considered "new." The content of that newness changes over time, with different JJS leadership and evolving organizational structures, as suggested by the second epigraph, but is always met with some resistance. Resistance can include derisively labeling the newness as the "flavor of the month." Resistance also often includes the labeling of one's professional identity as "old school."

It is more than simply change that triggers an invocation of "old school." Also significant is the absence of "settling" in JJS about "what works" with youth. As shown above and in Chapters 5 and 6, the contestation and continual competition that staff undertake to demonstrate the effectiveness of their chosen approach fails to reach finality. To reiterate, resolution is seldom reached because the situation is constantly changing, and because the diversity of youth means that nothing works all the time. Staff pragmatism means that they will use techniques outside of their normal repertoire but that they have seen work for others, even while they remain committed to their personal approach to working with youth. An experiential reason for why there is no final settling of "what works" with youth is summed up effectively by a staff person who told me,

> In [my] 16 years in this division, and over 30 working with at-risk youth, there has been little to no real improvement in recidivism or even the general behavior of the youth in our custody. So we [as staff] are left with what we started with, a

> core of absolutes that withstand each new paradigm shift, limited though they may be: the professional relationships and allegiances we develop with our youth and families; the clear expectations we give those youth and families along with reasonable rewards and consequences for meeting or failing to meet those expectations; and access for those youth and families to relevant community resources.

Settling does not occur because, at least in the view of many staff, nothing new has worked definitively or decisively. Or at least, nothing new has endured in JJS long enough to make a difference.

Here, the criminology literature provides some additional perspective. During the time that these notions of being "old school" have risen to prominence in JJS (and taken on multiple meanings), the criminology literature has debated the rise of a "new penology" that focuses more on aggregates (e.g., risk-level groups) than on individual offenders, on assessment of risk and classification (Feely & Simon, 1992). Where the "old penology" focused on the individual offender, on determinations of guilt and accountability and even individual rehabilitation, the new penology focuses on managing costs and controlling populations. The connection between these ideas and the critique expressed by "old school" staff is obvious, if we accept the fact that the juvenile-justice system has always maintained more of a focus on treatment and rehabilitation than the adult-criminal-justice system. The desire and frustration of staff to "reach" youth can be seen and heard daily. Consider Ana's comment in Chapter 5 about how hard it is to be "human" in secure care because her struggles to be "real" with youth are met by manipulative behaviors. Indeed, the "gap" between official policies and their implementation can be seen here in terms of the frustration (and resistance) of staff. It is important though to see that it is not necessarily the raw content of these new policies to which staff are reacting but the perceived lack of measurable difference made by new policies *in the lives of youth*.

Staff remain unconvinced that new approaches are better approaches that will, in

fact, help them to make a difference in the lives of youth. Policy, and theory generally, fails to reach practice sometimes because it fails to provide a real alternative in the lives of the youth served. One relevant lesson for policy makers, as shown in the second epigraph of this chapter, is that "Been there, done that, bought the T-shirt" is not simply an expression of cynicism. It also expresses staff exhaustion and disappointment. An important part of productive thinking about why theory can fail to reach practice is listening to practitioners and watching them do their jobs in ways that illuminate what high-level policy discussion *cannot* see.

What indepth observations show is that not only do staff *care* about the youth they serve, they also become strongly identified with the work that they do. Their professional identities as JJS staff are implicated, and often threatened, with every major new change that JJS implements. The list of new initiatives over the last decade in JJS is long. Few initiatives have generated much staying power, and, in the eyes of most staff at least, even fewer have improved work effectiveness. But even more to the point, each new move by the division threatens the sense of identity staff have about their work and the meaning they ascribe to it. Calling oneself "old school" is a reactionary identity intended to denigrate the "new" to which the appellation responds. Without an Other, the identity of "old school" cannot maintain itself. It requires difference (Connolly, 1991).

In summary: First, there is no single professional identity for secure-care staff. As shown also by the discussion of philosophical approach and role, different staff perceive their professional identities differently. Second, identity is generated in opposition to an Other. Claiming an "old school" professional identity, for example, establishes oneself in opposition to newer approaches, those multiple alternatives that have come later to the scene. "Old school" denigrates the opposition, valorizes the self, and expresses disagreement with and distance from the Other. Third, conflict and

contestation in secure care may often seem to be about youth (e.g., differences and disagreements about how to deal with a youth's behaviors or issues), but much of that conflict is also about identity: the professional identity of staff.

Deviant Peer Contagion: The Influence of Youth on Staff Professional Identity

Although a purpose of secure care is to rehabilitate youth, one in which staff play an influential role, an unintended consequence of secure care is the influence that youth play in the lives and professional identities of staff. Not only is professional identity in secure care a collective activity that involves other secure-care staff, it also involves secure-care youth. In this section, I demonstrate how staff and youth contribute to an interactive process that can affect the professional identities of staff negatively over time. To do so, I frame the discussion in terms of the notion of deviant peer contagion. Put more provocatively, I apply to staff and to the dynamics of secure care, a term more often used to discuss juvenile delinquency.

In this section, I highlight influences and pressures on secure-care workers that negatively affect the secure-care environment and the professional identities of staff. Importantly, most staff, most of the time resist these pressures. Some do not. Here I do *not* represent what I observed most often (positive examples of skillful staff-youth interactions) but draw deliberate attention to the extreme outliers – *the deviant case* – and to demonstrate their problematic aspects or negative influences (see Flyvbjerg, 2001's extreme case, but also Gerring, 2007).[67] To some readers, what follows may seem

[67] A hallmark of an interpretive ethnographic method is how it pushes researchers to consider negative cases as a check on "their own preliminary meaning making by searching for evidence that would challenge those initial ideas" (Schwartz-Shea, 2006, 104). Through this process of "reckoning" with my data, I recognized the impact of the negative influence that I express here with the metaphor of deviant peer contagion.

to be unduly harsh assessments of staff conduct. Again, my intention is to demonstrate negative potential (if rare) influence that I observed in secure care and to provide contextual reasons for why it occurs. In Chapter 8, I propose remedies.

Research suggests that a critical problem with residential-treatment programs like secure care is that the bringing together of delinquent youth increases rather than decreases the overall rate of delinquency through a process called "deviant peer contagion" (Dishion & Dodge, 2005). It occurs "through interpersonal processes by which delinquent youth encourage and reinforce each other's negative behavior" (Greenwood, 2006, p. 88) and is associated with increased rates of substance abuse, violence, and delinquency (Dishion, Poulin, & Burraston, 2001). Deviant peer contagion is one reason why juvenile-justice programs avoid mixing youth of varying risk levels for delinquency in the same program. For example, low-risk youth in an early-intervention program – one that tries to divert youth with an initial justice-system contact away from further system involvement – should not encounter in that program higher-risk youth. The idea is to avoid the possibility that high-risk youth will teach lower-risk youth negative behaviors, while the program aims to teach positive ones. Among youth in a high-risk level group, like those in secure care, deviant peer contagion suggests that the program may make a youth more delinquent rather than less. Further, research has long established that locked programs should house only small numbers of youth or run the risk of domination by a dangerous gang culture (Bartolas, Miller, & Dinitz, 1976). The concept of deviant peer contagion suggests that through facilitating increased contact between delinquent youth, the juvenile-justice system can actually harm rather than rehabilitate them.[68] Making use of this concept of deviant peer contagion, I argue here

[68] Given this insight, consider the 2014 JJS mission statement, mentioned in Chapter 2, that includes an elaboration by the director which states that the agency mission "is in keeping with the immediate goal of any justice system – to ensure that our contact with youths contributes to the behavioral change process, and does not cause

that the prolonged contact between staff and youth may have a similar contagious potential effect on staff professional identity and behaviors.

One example of contagious effect may be seen in terms of street respect. Staff and youth often clash over conceptions of respect. Secure-care youth commonly advocate a notion of street respect that relies on power and intimidation. It suggests that the only way to "get respect" is to "give it," an idea that appears to resemble reciprocity but is more about the cultivation of fear. This "code of the street" (Anderson, 1999) involves deference to those with street "cred" (credibility) and power. What this means is that gang members (and wannabes) and others bring a cultural understanding of street respect to their interactions in secure care. Staff undertake the very difficult job of actively countering street respect in youth behaviors. They talk directly about different conceptions of respect and try to show that a respect founded in basic human dignity, instead of in the exertion of power, is an alternative, and better, way of guiding behaviors. In their interactions with youth, they try to demonstrate that communication and understanding work better than intimidation and posturing. They model alternatives for youth in order to expand their repertoires. They "call out" youth when they use street-respect behaviors and challenge them to do things differently. Just as staff work with youth to expand their vocabularies as an alternative to slang and swearing, they work with their often-reluctant audience to demonstrate alternative ways to show respect.

Although staff work diligently to teach new understandings of respect to youth, the power dynamics in the setting sometimes communicates an unintended counter-lesson. Because youth are nearly powerless in secure care, and because street respect suggests that being in the power seat is a laudable aspiration, being powerless can feel

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harm" (Utah Division of Juvenile Justice Services, 1995, 1). Minimizing the harm due to deviant peer contagion is a relevant challenge facing delinquency treatment efforts.

like a constant state of *dis*respect to many youths. In these difficult situations, rife with tough-to-negotiate power dynamics, staff can stumble in their efforts. In their interactions, they sometimes capitalize on notions of street respect. Instead of wholeheartedly rejecting notions of street respect, sometimes staff *use* it to control some situations (and the youth) around them.

One way that staff can use street respect to control youth is by purposely intimidating them. They might "get in their face" about a behavior. Or they might provoke youth, not about their behaviors but by calling attention to the power differentials. In the last chapter, I cited an example of a staff responding to a youth's inquiry about his day with the response, "Better than yours. I'm not locked up!" A different youth told me about a secure-care staff person who he met initially in detention.

> One time I was in line [and] talkin'. [He said,] "You're not supposed to talk in line." Then he says, "Hey, you. I said stop talking. Are you deaf? Are you stupid?" I said, "Fuck you, don't you ever call me stupid." Then he got mad. He came up to me, threw me up the wall, "Don't you ever yell at me!" Then he put me in lockdown.

In secure care though, the youth noted that he got along well with this staff person and called him "fair" and a "cool staff." In an indirect example, a lead staff was musing aloud about his team and mentioned Kimball's "problem [of] basically punking the kids to get them to do things."[69] The lead staff said that Kimball's behavior was "very characteristic of new staff who think they're going to come in and change everything because they've got all the answers."

Sometimes that intimidation is more oblique and involves heightening the status differences between youth and staff. For example, I wrote this as a field note entry one

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[69] In secure care, "punking" is behavior that involves bullying or intimidating others. It might include taking someone's food or chair or place in line. In prison, punking sometimes has a sexual connotation. In my experience, it did not have that association in secure care.

evening:

> Dinner was being readied … so our conversation ended, with the boys jumping up when their bedtime was called [In this cottage, boys were called to dinner by level, with the highest level (and thus the latest bedtime) served first]. Quickly, their enthusiasm diminished with the look and taste of the fried chicken. Kimball passed around a plastic bottle of hot sauce which many of them used to make the food better. Others threw their food away entirely. [Marco] threw his food away, but later I saw him eating a bun with refried beans and some hot sauce. Kids [then] did their detail [duties] while staff ate Costco pulled pork sandwiches heated in the microwave. (If I had been a resident, the delicious smell might have made me crazy given the contrast to my own dinner.)[70]

In another situation, I watched a youth accuse a staff of cheating during a card game played the day before. The youth argued and argued for his position, and although he did it convincingly and respectfully, the staff person just sat in the big, comfortable staff chair, armed crossed, and stared down the youth, almost daring the youth to go farther. Finally, the youth looked at me and just shook his head and headed to his room, the probable place he would have been sent had he pursued the matter further. Of course, in both of these situations, the same actions are possible with less or more attention drawn to the power differentials between youth and staff. Body language, eye contact, history between the individuals – all of these things can make a difference in how the situation plays. In other words, what makes the difference is *how* staff act in situations not only *what* they do.

As I discussed in Chapter 6, staff in one cottage emphasized their power over youth more than in the other. Cottage Summit rules (perhaps unwritten but clear) were that staff were served food before youth. Staff sat at a special table in special chairs. I argue that the concerted nature of this effort had a profound effect on youth, teaching them that street respect's recourse to domination had, in fact, a regular and accepted place in secure care. At the same time, it is not that the other cottage was free of this kind of intimidation. There, it was just more idiosyncratic and individual-based. Certain

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[70] Parenthetic comments included in the field notes. Bracketed comments are added for reader comprehension.

staff made "power plays" on youth by putting them down, intimidating or humiliating them. In another excerpt from my field notes, I wrote,

> [Jordan] was very aggressive and chided kids, singled them out and harassed them. Most of them didn't respond or just nodded their heads. [John], who was to leave [on transition back to the community] that day, told [Jordan] to shut up and leave him alone, sort of kidding, sort of not.

One of my interviewees who had years of experience observing interactions between secure-care staff and youth told me that he thought that secure-care staff became staff in part so that they could bully residents. His hypothesis was that many staff had been bullied as children and now could turn the tables and be in the role of (legitimate) bully as staff.

Gaining compliance from youth is admittedly not an easy task, especially with newly arrived residents with whom staff have not yet had a chance to develop a rapport.[71] Many staff might assert that secure-care youth have lived such "out of control" lives, often in flagrant, even violent, disobedience to the authority figures in their lives, that they need to learn who is in charge. They might suggest that it is their job as staff to send a "clear message" to youth about what is expected of them. One question then becomes how to send that clear message, since a large range of behaviors – from corporal punishment to an orientation to the rules – could technically qualify. But the evidence on the effectiveness of corporal punishment and other forms of domination of youth in juvenile delinquency program settings is clear. They do not solve delinquency problems (Greenwood, 2006). They may gain immediate compliance, but they do not implicate crime desistence (Sivertsson & Carlsson, 2015).

Another, subtler, use of street respect also occurs in secure care. Gang members

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[71] This observation provides insight into the detention interaction cited above, where the staff member allegedly threw a youth up against a wall. Detention most often involves short-term stays of days or weeks rather than months. The point is not a justification of the behavior but that gaining compliance is significantly more challenging where rapport is absent.

are known to be well-behaved secure-care residents. Their obedience to staff in secure care follows directly from their deference to power (not authority). Staff are the "shot callers" in the secure-care setting, and, given the power differentials, gang members willingly obey in the moment. In times like these, where peace and compliance are maintained, staff may be reluctant to call into question the reason for the obedience. In the moment, it can appear counter-productive to question a resident's obedience when that obedience (and resultant peace) can feel, on a difficult day, like the entire end-game of secure care. On a day when more seems possible in terms of treatment goals, it still would take a dedicated staff person (though this is not at all a rare find in secure care) to put at risk a peaceful shift in the pursuit of treatment insight. In other words, staff contest with youth the negative outcomes of street respect – the punking or intimidation, the violence and retribution – but they sometimes allow the deference to power to remain intact because it serves the immediate purposes of staff: safety and security.[72]

As mentioned above and consistent with notions of street respect, secure-care youth often rely on threats and intimidation to get what they want. If they want a particular seat near the television or a larger serving of mashed potatoes for dinner or a prized snack from the facility's General Store, many youths are more likely to punk (bully) another youth into giving up theirs rather than work to earn their own through legitimate means. Elaborate schemes of debt (through barter, wager, and trade) and pay back can arise. Secure-care cottages often develop rules to try to minimize sharing of food and other items because what can look, on the surface, consensual can actually be brutal systems of hierarchy and domination.

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[72] As I mention in the last chapter, youth can come to admire staff members and see them as role models. What I did not consider in the last chapter is how being admired, even idolized, affects one's behavior. Although I do not address this issue directly, I would suggest those feelings of admiration may cause the youth to more readily comply with the staff person's directives. At the same time, it may also be that the experience of being idolized may make staff even less likely to contest the obedience that occurs as a result of deference to power.

In one example, Armando is processing off security for sharing his Skittles with Marco. Sharing of food is against the rules. In addition, Marco has issues with food hoarding which makes sharing food with him more problematic. Armando reads aloud to the group his required paper explaining his rule violation. Ana asks him what he has learned from this experience, and Armando is clear: "Don't share my food," he says. Then the other boys take turns giving Armando feedback, saying things like, "Armando, you know you shouldn't share food, especially with Marco, because it is one of his issues and it will bring him down." And "don't do stuff like that since it is against the rules and will only bring you trouble." My field notes provide additional context, parenthetic text included:

> Jordan told me that they can't share food from the general store because some kids might [otherwise] punk another kid for their food. (I ponder this rule in relation to my observations at another cottage, and I can see the positive benefits that come from it, especially in relation to betting and not furthering an underground economy. Yet I also feel like it is oppressive.)[73]

After Marco's attempted stabbing of another youth, I talked to Armando about his feelings about Marco being in isolation and gone from cottage life. Armando denied missing him, saying he was irritating and always trying to punk him for food. He says, "Staff don't see it, but he used to do it all the time. It bugged me, but I couldn't ever react, or I [would] get in trouble. I don't want him around here no more." Although I never heard from Armando about whether the Skittles incident was related to punking, the issue is an ever present one. Rules only address some of the complex ways these behaviors affect life in secure care.

Despite rules against sharing food among youth, youth would routinely share or attempt to share their food with staff, sometimes for ambiguous reasons. Certainly, some youth were being generous. At other times, youth were "saving" food for staff

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[73] Parenthetic comments included in the field notes. Bracketed comments are added for reader comprehension.

because they "lost a bet" or "owed" staff something unspecified. Sometimes they would buy food from the General Store expressly for particular staff members. I saw youth offering candy or chips to staff in what seemed like a slightly veiled effort to curry favor, something along the lines of, "Hey, Kimball, I bought you some Skittles. I know they're your favorite." Betting (on athletics, both professional games and facility games, and card games) was more prominent at one cottage than another, but youth at both cottages gave their limited food supplies to staff.

When staff members are exposed to youth interacting habitually from a street culture mentality, they are more likely to occasionally adopt those behaviors themselves, even when that adoption is episodic. The strategic use of intimidation to gain quick compliance sends a message to youth, however, about how to behave even if the recourse to street behaviors is not routine. Similarly, seeing youth doing things "on the down low" routinely can make staff more likely to be indirect themselves in how they handle cottage matters. Just as proximity to staff affects how youth think of their identities, that same proximity can also affect staff identity conceptions.

It may seem like a stretch to suggest that staff are influenced by the behaviors of youth. Indeed, there is no irrefutable proof that staff did not come to secure care already behaving in these ways. The "street cred" that staff claim only rarely includes gang life, but some staff that I met do have personal experience with street respect. To underscore the caveat at the beginning of this section: Generally speaking, staff display professional demeanor and notably adept interpersonal skills in their interactions with youth.[74] As a rule, they know how to effectively diffuse and deescalate volatile situations without recourse to power and control. Many of their interactions with youth were inspirational for their level of insight and skill, as examples in prior chapters demonstrate. However,

[74] For an example of skillful interaction, see Jordan's interaction with Glenn in Chapter 8, The Important Elements of "Rapport."

the influence of youth street culture is strong and persistent. In my experience, it is one of the more unchanging elements of secure care. The doors to the outside are always locked. Meals are at consistent times. Daily routines vary only within set parameters. And street respect is a continual force in secure care. Countering it requires strong and consistent effort. The extent to which staff rely on notions of street respect instead of countering it is a measure of its seductiveness in this setting.

Another example of the contagious effect of delinquent youth relates to the issue of reputation. One's reputation in secure care is important, as the chapter's epigraph attests. After enough time of watching youth acting "tough," even as they work to counter those behaviors in youth, staff become more conscious of their own identity management (Goffman, 1959). As they observe youth in order to assess them, they notice the aspects of identity management that rule street culture, and they see that although it does not work for youth in the long-term, sometimes it is effective in the short-term. As staff work to generate behavior compliance in youth, some of them will take recourse to what works in the short run: using one's image or reputation to achieve results.

Of course sometimes reputation and behavior match up, but the lesson is that with adequate attention to framing one's reputation, sometimes an action can be left undone. Based on reputation, everyone knows how another will respond or at least they think they do. Staff *claims* about their own identity as "tough staff" or as "serious" help us to know the extent to which they rely on their reputation to help them do their jobs. To a certain extent, this is true of every workplace. What makes this occurrence notable is that in secure care, those reputations can mimic the reputations youth bring into secure care: tough, unpredictable, cool, hard, crazy.

One day, Jordan and I are discussing something that we both saw earlier that day: an interaction between Mike and a resident's mother. Jordan says that he thinks

she comes "mostly for herself and to be seen as the good mom rather than primarily for [her son]." He then tells me that he heard Mike say something to the mom that he felt was inadvisable, or at least not his style. As he does so, he slides into musing about his team, saying, "they're great. They're all, uh, on the same page." He says they work well together as a team, and he compliments Ana's and Mike's emphasis on treatment. "I learn from them, and they learn from me. It's my job to be the alpha male on the unit and to make sure things are going well."

This "alpha male" identity is a claim that Jordan backs up with behaviors. And yet it is more that. It is a reputation he relies on so that he doesn't have to always take action. Youth and staff know what behaviors are possible with Jordan. When he comes on shift, other people's behaviors change in response. Some youth spend more time in their rooms because they don't want trouble. Others wait to discern Jordan's mood to make decisions about how to spend their day. He routinely has terse interactions with other staff, and for all the fireworks I saw between staff during staff meetings, the only significant staff conflict I saw *in cottage* during my observations involved Jordan. Jordan wears his "alpha male" self-designation proudly, even defiantly, as part of his professional identity, and he relies on it to do some of his work for him both in terms of his interactions with youth and with other staff. The pride with which Jordan wears his identity has parallels to youth identity in street culture.

In the opening example of this chapter, Jordan describes the incident that happened in his self-motivation group, in which he claimed to have "handled it verbally." I later asked Jordan more about what happened. He told me he said to the youth, "You're going to challenge me like that? You do that once more and I'll throw you down so hard right here in front of all your homies, you'll wish you hadn't done that." He said the youth "backed right down." Certainly, Jordan's words could be characterized as a threat, but it is additionally both a tool for and a consequence of identity management,

one that takes significant recourse to street culture and domination. We do not know if these were Jordan's exact words to the youth or if he even said them. But we do know that he told me, in part, to help me understand his role and his "alpha male" professional identity in secure care. As Maynard-Moody and Musheno (2003) note, "the more a story deviates from historical accuracy, the more fully and richly it depicts norms, values, and beliefs because these accounts more fully embody the storyteller's interpretation of events" (p. 32). Although I did not solicit information about Jordan from others, I heard him called "the worst of what JJS has to offer [because of the] way that he uses his power and manipulation, and makes things happen the way he wants them to happen, and comes down to the kids' level instead of bringing them up."

Is Jordan's particular use of reputation the norm in secure care? The answer is emphatically no! But the *tendency* that he represents pervades secure care and JJS more generally. For example, while I doubt that Jordan's identity-management behaviors were wholly learned from residents, they certainly get reinforced by youth behaviors. An important point here is that street culture and delinquent behaviors are present in secure care in ways that most professionals do not come into contact with regularly. There may be parallels to other professions, where aspects of the job can affect one's way of being in the world negatively. Working in investigation units on drug trafficking or child pornography or other special victims come to mind (see Dobie, 2016). And yet even in these other workplaces, professionals can retreat from the stark realities of the worlds presented to them by taking shelter in their professional offices. Secure-care staff have no such retreat. The proximity to youth and the importance of reputation in this setting can have contagious effects on how staff think of themselves and have a ratcheting effect on their behavior over time. In other words, youth "role model" for staff, not only the reverse. In this case however, the transferrable skills run counter to the interests of secure care's BARJ and treatment goals and have a negative potential impact on

professional identity and the behaviors that staff role model for youth.

One final point: Staff (mis)use of domination seldom reaches the attention of JJS administrators. There are probably a number of reasons for this, but a few of them are relevant to this chapter. First, as stated earlier, I outline here tendencies that are sometimes muted in everyday practice but still, I argue, have an effect on practice. Second, staff rely on each other too much for safety and teamwork during shifts – in their own words, consistent with notions of street respect, "I've got your back" – that, when coupled with examples set for them by youth street behaviors, they are significantly less likely to report misbehavior than they might be in other settings. Third, because of the ongoing contestation and competition between approaches to working with youth – the lack of "settling" – staff often chalk up poor behaviors by fellow staff as simply "different approaches" to working with youth. They may not find each other's behavior acceptable or advisable, but they give one another wide latitude. As a result, only if youth are brave enough to file a grievance or the behaviors are so egregious that they are able to overcome a staff's hesitancy to report it, do staff misbehaviors get reported to administrators. Sometimes of course, serious staff misbehavior is caught on security cameras, and these behaviors are well known to be punished. Although I have heard of staff scandals and misdeeds being reported or even punished, none of these instances occurred, to my knowledge, during my observations.

As I have said repeatedly, the majority of JJS staff behave in ways that work to provide positive role models for youth, as the majority of my examples in the other chapters of this dissertation suggest. Instead, my argument is that the influences of street culture and youth delinquency, particularly their emphases on power and domination and the importance of reputation, are, in effect, contagious. Like any (common) contagion, many, even most staff will ward off the worst effects successfully. But the contagious influences still pose a threat to staff professionalism because they

work to ratchet behaviors in a downward direction over time. Seeing youth and, especially, seeing Jordan behave in these ways teach other staff that if they were to behave similarly, and perhaps gain short-term compliance more easily as a consequence, such street behaviors might be within acceptable parameters. If my experience in secure care is any guide, that conclusion would be accurate (if not right).

JJS Staff as Street-Level Bureaucrats: Identity Formation and the Coping Behaviors of Secure-Care Staff

In *Cops, Teachers, Counselors: Stories from the Front Lines of Public Service*, Maynard-Moody and Musheno (2003) provide an important glimpse into how street-level government workers interact with citizen-clients to provide services. They find that those interactions make street-level work "as much a process of forming and enforcing identities – of both citizen-clients and street-level workers – as of delivering services and implementing policy" (p. 153). In short-term interactions and initial encounters, such as often occurs between law enforcement and residents, identity "fixing" of citizen-clients is commonly based on stereotypes and other "stigmatizing identity categories" (p. 83). Prolonged interactions create room for street-level workers to develop more complex conceptions of identity with which to understand and make service-delivery determinations for citizen-clients. In all of these interactions and worker-client relationships that can develop over time, while there is some mutual impact, the power differences mean that "the workers alone retain the power to define and fix, and to unfix and redefine, citizen-clients' identities" (p. 155). They conclude that

> Identity-based normative judgments determine which and how rules, procedures, and policies are applied. Morality trumps legality in terms of which rules, procedures, and policies are acted on; who gets what services and who is hassled or arrested; on how rules, procedures, and policies are enacted. (p. 155)

The insights of Maynard-Moody and Musheno largely apply to the secure-care setting,

but there are distinctive ways that this total institution environment affects street-level service provision both in terms of staff professional identities and the coping behaviors of staff.

Street-Level Work and Secure-Care Staff Identities

In many ways, secure-care staff are like the police officers, middle-school teachers, and vocational-rehabilitation counselors about which Maynard-Moody and Musheno write. They are "street-level" workers insofar as they provide direct delivery of government services, even if the "street" where the contact occurs is a locked facility. Staff use their interactions to help them assess a youth's situation and develop a framing of the situation that determines what range of services a youth will receive. Often, these street-level workers then provide the services directly. In Maynard-Moody and Musheno's words, staff decide who are the "worthy." And, as I show in this and earlier chapters, their judgments are similarly "complexly moral and contingent rather than narrowly rule bound and static" (p. 155).

One important way in which secure-care workers differ from these "cops, teachers, and counselors" is in terms of the nature of their interactions. The setting of secure care means that the interactions are more intensive and prolonged than even the daily school year contact that teachers have with middle-school students. Secure-care workers are present when youth wake up in the morning and see them as they emerge from showers. They search youths' rooms and conduct the strip search after visits with family. They say goodnight to youth in the evening. One of the more touching moments I observed occurred when staff went from door to door in the evenings to say goodnight to youth before yielding the night shift to the graveyard staff. They were, of course, checking the security of the locked room doors and ensuring the presence and safety of each youth, but some staff did this task warmly by walking from door to door, saying

things like: “Night, Marco… Night, Zach. See you tomorrow… Night, Armando. Hang in there, buddy… Night, Braden. Phone call home tomorrow. You’re almost there.” One staff member leaned into the doors, body-bump style, and made eye contact with each youth as he said goodnight. Some youth would run up to the small windows in their doors to say goodnight, perhaps attempting to close the distance between himself and the staff person in these surprisingly intimate moments. One thing this study offers then is some contrast between the usual street-level research into front-line service delivery and the more intensive and prolonged, even intimate, interactions that occur between government workers and clients in total-institution environments.

In secure care, the power differentials between staff and youth are at least as pronounced as they are in other common street-level encounters. Vocational-rehabilitation counselors, for example, have the power to determine whether and which services a citizen-client might receive. Police officers can affect the life and liberty of those they encounter. Secure-care staff have the power (and authority) to do both. Despite this power disparity, I argue that in this setting youth have considerably more influence on the identities of staff than clients typically have in other settings, even while that power does not always reach their awareness. The “contagious” quality of this influence means that the professional identities and corresponding consistent behaviors of secure care workers may degrade over time as their world views and norms begin to accommodate street culture. It is not that secure-care workers come to aspire to the street-culture behaviors that youth display. Rather, it is that they start to see its utility because of its familiarity and its appeal to youth. Staff members might make this argument by saying: if they can “speak the language” of youth then they will be able to “send a clear message” to youth that will convince them to change their behaviors.

Borrowing Maynard-Moody and Musheno’s insights, the utility of appealing to existing interpersonal skills of youth is consistent with the pragmatism of street-level

workers: their realist approach to finding solutions that meet their clients' needs. Meeting client needs is about meeting them where they are, rather than providing some ideal set of services or a philosophically pure approach. Rules may work to constrain staff actions, but they do so imperfectly. In this setting, like those of cops, teachers, and counselors, "the needs and character of the citizen-clients (as defined by workers) and the demand of rules, procedure, and policies (as understood by workers) exist in unresolvable tension" (p. 156). One staff person who was explaining to me how two secure care cottages within the same facility could come to be so different said, "I mean if you want a rule to fit you can, you know what I'm saying? As long as the rule is there you can make it fit. I mean when big things happen, I think everybody responds the same. But for the little things, I do think [Cottage Summit] is the more structured. And a lot of it is interpretation of the rules, everybody interprets them different, and so…" One interpretation of this comment suggests that it is difficult to respond to the needs of individuals and still follow law and policy. As Maynard-Moody and Musheno write, "Workers must continually make judgments about citizen-clients to determine how to apply rules and procedures and to determine their meaning and value" (p. 156).

The staff's reference to making rules "fit" obscures what seems to be happening to professional identities and the behaviors of staff in secure care. As staff come to see themselves in relation to street culture and to selectively adopt the behaviors in their work with youth, the change affects staff interactions with each other and, more broadly, the way they do their jobs. Brutality of treatment with each other and with youth rises in likelihood as workplace norms degrade. And while that brutality might not reach the level of physical violence, it still degrades the quality of interactions and decreases the level of professionalism. All of this is made more likely because of the total institution environment, where staff are, by definition, cut off from the larger world and the formally administered life of secure care becomes normalized even when extreme or

problematic. One example of this, then, is the interactions that occurred in the staff meeting example at the beginning of this chapter. Staff members talk to each other with disrespect and verbal violence, crossing the line between humor and disrespect, both because it is tolerated and because it is normalized as they watch examples of it regularly between youth. As Sandfort (2000) shows, street-level workers are guided largely by their shared knowledge and collective beliefs that they develop based on their sense-making of daily work experiences. When those work experiences occur isolated from the outside world, the sense-making is constrained and influenced more strongly by local forces (here, youth residents).

In sum, what from the outside looks like a one-way influence – the impact of staff on the identities and behaviors of youth – ends up being a situation of mutual influence where youth also affect the identities and behaviors of staff. However, this influence is not readily discernable and only emerged over the length of my observations. Only through getting to know many staff and youth and observing them over time did patterns emerge about how their interactions affected them. The mechanisms of influence are also different. Youth identities, as discussed in the last chapter, are affected because of their developmental predisposition to identity formation. Staff identities are affected because of their desire to help youth (to "reach" them), their pragmatic willingness to draw on a variety of approaches in situations, and because of the "contagiousness" of street culture afforded by proximity and the duration of contact in secure care. Consider Ana's struggle, mentioned in Chapter 5, when she says, "It's hard to be human here. You try and be real with these boys, give them a little understanding, and they can be so manipulative in return … You can see though, how it really affects staff over time." The impact is also increased by the total institution environment, where there is "no escape" for staff from the daily negative behaviors of youth. In spite of the power differentials between youth and staff then, youth, perhaps unwittingly, have the ability to influence

staff identities over time. This finding of identity influence distinguishes this research from other street-level research.

Coping Behaviors of Staff

Lipsky (2010 [1980]) provides a way of thinking about this problem – the negative influence of youth on the professional identities of staff – in terms of the coping behaviors of street-level workers. Information and time limitations, and frequently resource limitations, mean that street-level workers make decisions under compromised conditions. They develop "routines of practice and psychologically [simplify] their clientele and environment in ways that strongly influence the outcomes of their efforts" (p. xii). In other words, street-level workers, including secure-care staff, engage coping behaviors that help them adapt to the *conditions of their work* in consequential ways.

Lipsky's insights show that complex organizational behaviors emerge at the front-line service delivery point in ways that are "part and parcel of the policy-making process, not separate from it" (Brodkin, 2012, p. 943). How staff adapt to the secure-care environment and the influences of youth affect ultimate service-delivery practices and the resulting policies delivered. It is, in the words of Dubois (2010), how policy becomes "materialized." These are *patterns* of practice then, not wholly idiosyncratic to the staff person. And yet they are also individual adaptive behaviors. Consistent with Maynard-Moody and Musheno's analysis, staff members see themselves as acting responsibly and responding to the situation at hand, taking into account what is possible for the youth in question. They adjust their expectations of youth (and of themselves, to varying degrees) as the situation demands. They not only refuse idealism, they see it as unproductive, unrealistic, and, importantly, a potential security risk. Secure-care staff see their jobs and their environment as comprised of improvisation (Yanow, 2001) in reaction to individual youth circumstances, within a rule-saturated environment. Yet

their actions may also be viewed as a form of "cultural abidance" (Maynard-Moody & Musheno, 2003). Individual behaviors are, at another level, patterns of coping mechanisms in response to particular working conditions. Ultimately, they can affect youth outcomes, staff effectiveness, and public policy.

Brodkin (2012) observes that the street-level bureaucracy research finds that these coping behaviors only rarely include worker resistance or defiance to policy objectives. Returning for a moment to what it means to be "old school" in JJS, this resistance to newness certainly looks like resistance to policy change. Brodkin suggests that we might more productively see such resistance, however, in terms of staff coping with situations that do not lend themselves well to policy directives. Is there a way in which being "old school" is *not* resistant to policy objectives?

If we consider, as discussed earlier, that staff are in part reacting to the lack of progress in effective methods of addressing juvenile delinquency, we have some clue about relevance of working conditions. In the juvenile-justice system, as on many other policy fronts, there is a pervasive and increasing concern for measurable results. The issue of evidence-based practices (National Institute of Corrections, 2004; NRC, 2013) and its usual emphasis on the "gold standard" of experimental design (Khagram & Thomas, 2010; Lipsky, 2010 [1980]), but also performance measurement and pay for performance efforts (Moore, 2013), illustrate this emphasis. While policy makers and administrators place great stake in numbers and measurement, often with the belief that it helps them to see the "bigger picture," for staff there is the additional and more experiential concern of *feeling* like one is making a difference. The deeply-held staff commitment to the lives of the youth they serve and their desire to have a positive impact on youth decision-making can be demoralized by a seemingly never-ending parade of new ideas and approaches, none of which seem (to them) to affect the bottom-line result of recidivism.

Is being "old school" resistant to policy directives? Maybe. But it is also a generalized expression in reaction to the exhaustion and frustration of lack of change (in recidivism rates) in an environment of near constant policy change. Recognizing the "old school" identity as something other than policy resistance asks the question: to which conditions of work does the identity respond? As Brodkin (2012) wisely observes, "street-level bureaucrats do not necessarily do what they want, they do what they can" (p. 946). In this case, staff can self-label as "old school" and present an alternate policy perspective to that of JJS administration's chosen direction. When thinking about the range of conditions of work to which being "old school" responds, my research suggests two items: an unmet staff desire for recognition for their efforts working with youth and another for feedback about *how* they do their jobs. The importance of both of these working conditions are amplified by the total institution character of secure care work. Because staff are isolated from other JJS staff and because the flow of information in and out of secure care is sharply limited, this kind of recognition and feedback have increased relevance for secure-care staff.

The working conditions of secure care affect staff behaviors in ways that have an impact on policy and its implementation. In secure care, the influence of youth street culture can have a negative impact on staff identities and their resulting behaviors. By the same token, the lack of convincing change in the effectiveness of juvenile-justice programming and the lack of information provided to staff about the impact they make in the lives of youth combine to affect both how staff conceive of themselves and their role, in ways that are consequential to the Division of Juvenile Justice Services and its ultimate effectiveness. It may be reasonable to expect that were these working conditions addressed by JJS administration, staff might more readily adapt to new policy directives.

In sum, the street-level bureaucracy literature provides insights into the work

situations facing secure-care staff. As street-level workers, secure-care staff share many of the same pressures as other front-line public-service workers coping with a rule-saturated environment. And yet, my findings within the specific, total-institution context of secure care contrasts with some of the existing literature in terms of the impact of clients (here, youth) on the professional identities of staff, the working conditions faced by staff, and the resulting impact on policy outcomes.

Conclusions and Next Steps

One day in cottage I watch as Braden processes off of "security" – a level of restricted privileges. I had not been present when he was put on security, and it was now about a week later when Mike convenes a group to restore Braden's treatment-level status. What is notable about this group is that Mike does not let Braden provide details to his peers about the rule violation that caused him to be put on security. However, the stories that both Braden and Mike tell me separately and later are consistent. Braden had been out in the back field with residents and staff from multiple cottages. Braden's misbehavior resulted in him being given the choice of walking laps around the edge of the field "to cool down" or to go to his room. With some resistance and anger, Braden chose his room. On his way, a staff member called Braden a "motherfucker." In response, Braden tried to physically attack this staff person, but he was restrained, taken to his room, and put on security. What became apparent as Braden and Mike individually relayed the story to me was that other residents did not hear what the staff person had said to Braden. Thus no one knew why he tried to attack the staff person, and Mike would not allow that information to come out in group.

Can misconduct like this – the intentional, disrespectful provocation of youth – be considered a coping behavior in response to working conditions? Or is misconduct just an action that deserves individual-level disciplinary action? As far as I know, this

incident never resulted in any action against the staff person. Braden experienced a week's worth of lessened privileges for his attempted assault. And the official sense-making that occurred surrounding the event that I heard from both residents and staff was about how Braden did not sufficiently engage his secure-care-taught anger-management skills. There is a way in which this critique of Braden's behavior is true, even as it displaces other important realities. As a subsequent incident in JJS has demonstrated – when a staff member was indeed disciplined for using derogatory language toward youth that resembled youth residents' own common street vocabulary (the use of which is sometimes "consequenced" as a rule violation) – this type of staff behavior "crosses the line" into unacceptable behavior that replicates youth behaviors rather than "raises the bar" and models higher standards. This situation helps to demonstrate how staff sometimes "buy into" youth visions of respect instead of the ones JJS would rather staff teach.

The example also shows how staff "have each other's back" even during times where questionable conduct might more properly suggest alternative actions. The chapter-opening example and this latest example are similar in this regard. In the first example, no staff member openly challenges Jordan's approach, and only Ana is able to diffuse the situation. In the last example, Mike does not allow Braden to talk about his rule violation to avoid exposing his coworker's behavior as improper. Both examples show how tight staff relationships, combined with issues of professional identity and the influence of street culture, along with the absence of a definitive approach to working with youth, make it hard for staff to rein in one another's errant behaviors. Despite a widely-shared recognition among staff that Jordan "struggles with his delivery," intervention in these moments is still difficult. At the same time, as demonstrated in Chapter 6, relationships between youth and other staff can often mitigate the emergence of worse outcomes.

The examples in this chapter reveal how policy in secure care is interactively built within an environment of mutual influence, despite large power disparities. Staff interact as coworkers and frame and build, over time, shifting equilibria that affect how decisions are made about the treatment of youth. Staff and youth interactions influence one another's identities, helping to define selves and orient behaviors, both in reaction to and based on the models provided by the Other in this setting. On this view, identity change is constructive and reactive, for both adults and youth.

The primary problem with the shaping of staff professional identity by youth is that this influence negatively affects the quality and effectiveness of the services provided. This can occur as behaviors rachet downwards over time, especially when problematic behaviors go undisciplined. Jeong and Brower (2008) discuss the way that practices become part of a worker's repertoire, even part of their tacit knowledge, and although they describe an ideal process, it applies to problematic behaviors as well:

> Once ways to approach and proceed in situations are thematically built, organizational members usually put them into action, by which they actualize (realize) their idealized dealings with the situation in tangible forms. When the results are successful, the schemes of involvement deliberately constituted in the course of interpretation are restored as useful guides to direct subsequent involvement with situations, while gradually receding into deep-seated assumptive frames. (pp. 238-239)

In other words, these problematic behaviors are concerning both for how they affect the individual youth who are subject to them and for how they risk normalizing behaviors that run counter to policy goals.

Even with an acknowledgement of the longer-term risks of tolerating bad behavior by staff, a key question remains, what can we most productively do about problematic behavior adaptations? Much of the literature has aimed at controlling the discretion of street-level workers (Meyers & Vorsanger, 2003). Some view government workers (bureaucrats) as generally self-serving and resistant to control (Gruber, 1987). Others have worked to align incentives and structures consistent with the interests of

workers (agents) and policy-makers (principals) (Lynn, Heinrich & Hill, 2001; Moe, 1984). Juvenile-justice literature has examined how policy reform efforts can be thwarted by street-level workers and their local processes (Gebo, Stracuzzi, & Hurst, 2006) and how the actions of juvenile-justice workers might be effectively controlled (Maupin, 1993). Others look at how public-policy goals can be undermined by actions by street-level workers who are focused on shoring up their professional identities rather than on the policy issue at hand (Halliday et al., 2009). Maynard-Moody and Musheno (2003) attempt, in part, to shift our focus away from a narrow conception of principal-agent theory toward a more contextual understanding of the challenges facing street-level workers and their responses to those challenges.

The enduring concern about discretion as a problem to be fixed attests to the lack of effectiveness of its efforts. Local, supervisory coercion has been shown to be less effective in instances where workers have considerable discretion and are not always observable, as is true in the case of secure-care staff (Brehm & Gates, 1997), even while rule-saturated entities like secure care routinely turn to new rule enactment and increased surveillance to monitor and control staff behaviors.

One important clue toward an alternate approach is noted by Brodkin (2012) when she observes that studies

> point to the limitations of seeking to explain street-level behavior as a consequence of individual-level phenomena (e.g., preferences, training, and so forth) without accounting for organizational conditions that affect what individuals *can* do and *are likely to do* under certain conditions. (p. 944)

Rather than simply accepting the dichotomy of control and autonomy – control to ensure that staff don't use their discretion wrongly and autonomy, and the discretion it implies, to make sure that staff can be responsive to the individual needs of youth – a more productive stance may be to alter working conditions in ways that address the factors that give rise to the adaptive behaviors. Brodkin (2012) calls this an "*enabling*

approach that is focused on creating conditions that facilitate quality and responsiveness in policy delivery" (p. 947, emphasis in original).

One such working condition is the pervasive influence of youth street culture on staff professional identities, which tends to result in the normalizing of problematic behaviors between staff and youth. If rules and control are less effective in bringing about behavior change, an enabling approach, by contrast, might ask: How could the professional identities of secure care staff be shored up to inoculate them, so to speak, from the contagious effects of youth street culture? Finding the right answer to this question requires attention to the broader context of secure care and the rehabilitation of youth. Addressing the issue of identity must also consider youth identities and the ways in which all identity implies difference from an Other. Just as staff's self-identification of "old school" requires and necessarily denigrates the Other – represented by newer administrative efforts to incorporate evidence-based practices and other organizational changes – an emphasis on staff professional identities runs the risk of denigrating secure care youth as the Other and thereby heightening the power differences between youth and staff. As outlined in Chapter 6, accentuating power differences between staff and youth tends to yield staff behaviors that trigger the developmental reactivity of youth in ways that are unproductive to their rehabilitation. The resulting problematic might be framed then as: What might be done to shore up the professional identities of staff in ways that keep street culture from becoming normalized in the secure-care setting and yet do so in ways that facilitate youth rehabilitation by (paying attention the developmental situations of youth and) not accentuating the power differences between staff and youth?

The next chapter looks at two issues that aim, in part, to answer this question. First, I examine the work staff and youth do to prepare youth for transition back to the community after secure care – a transition that many staff believe is the crux of the

recidivism problem. Second, taking into consideration the considerable influence of interactions in secure care, I look at what secure-care facilities (and JJS more broadly) might do to try to address the negative impact on professional identities. I attempt to do so by taking into account youth developmental needs and policy goals of JJS. My recommendations seek to improve both staff working conditions and youth treatment outcomes.

CHAPTER 8

"GETTIN' MY ZERO": COMMUNITY SAFETY AND THE POLITICS OF PROCEDURAL JUSTICE

"All pure majority control is getting power over.
Genuine control is activity between, not influence over."
~ Mary Parker Follett, 1924

"Policy-makers must consider the consonance between their policies and the lessons that people actually learn about what is most worth knowing about being an American citizen."
~ Benjamin Justice and Tracey Meares, 2014

When I met 17-year-old Glenn, he presented as a clean-cut, well-spoken youth in his secure-care uniform and institutionally required short haircut. Glenn had the sometimes-dissonant laid-back intensity of a snowboarder. When I later saw pictures of him in his file, with his longish, tousled, dirty blonde hair and golden tan, the stereotypical words "dude" and "weed" resounded in my ears. In fact, one of Glenn's problems was with marijuana use and sales. Glenn loved to talk to me. He loved to talk to staff. He especially loved to talk about what differentiated him from other youth in secure care: his mainstream consumerism and middle-class upbringing. This fact did not endear him to his fellow residents whose families often struggled to provide basic necessities, but it did help him to establish an identity distinct and apart from his surroundings. Headstrong, with a touch of narcissism, Glenn was not alone in trying to connect with me and my world. Youth regularly referred to locations outside of secure care, hoping to make a personal connection with staff or with me. The difference with

Glenn was that he more often succeeded.

Despite this middle-class upbringing, Glenn had many struggles, and his life was filled with deficits. His father was in prison for drug-related offenses. Indeed, he told me, "everyone on my dad's side" is in trouble or is otherwise kind of "bad." While in secure care, Glenn had a lot of time to ponder his life's trajectory. Over the years, the combination of Glenn's drug use, a difficult relationship with his mother, and anger problems meant that he was in and out of delinquency programs, despite his mother's apparent financial means to present him with additional and alternative services.

Over the months that I knew him in secure care, Glenn grew confident about his desire to leave drugs behind and "become somebody." To demonstrate change, he once told me that he used to lie in bed at nights contemplating more lucrative ways to sell weed, but now he lies in bed and doesn't even think about drugs anymore. Instead, he ponders finishing school and getting a job. He often contrasted his choices in terms of being like his dad versus being like his mom. He discovered things about himself that he realized made him different from both in a good way. But as the days to transitional release became fewer, Glenn became increasingly anxious. We talked at length, in cottage and in his interview, about his concerns about the unpredictability of his mother's behavior, the pull of addiction, and the influence of "bad friends." For some boys, this anticipatory stress results in behaviors that sabotage their release. Glenn steadied his nerves enough to achieve transitional release and go home to his mother.

A short time later, Glenn was back in custody, having decided that his mother's home was intolerable, resulting in what his case manager characterized as "the most mature AWOL I've ever experienced with a youth." Glenn spent a few days in detention followed by a short while back in secure care before finding a new placement at an extended family member's home in a different city and transitioning afresh.

Youth "get their zero" when the Youth Parole Authority places them on a 0- to

90-day transitional release from secure care. It is a time when youth remain in the technical custody of secure care but are supervised in the community by a case manager. Many youth struggle during their 0 to 90 days on transition, and a return to secure care is common. Indeed, the JJS Annual Report (2015) states,

> Attempts are made to keep 10% of [secure-care] beds open in the interest of safety. Open beds allow rapid placement back to the facility when youths who have been placed on trial placement are returned to the facility. This sometimes happens because youths struggle adhering to their transition plans as a result of substance abuse relapse, tension with families, and problems with employment or school. (p. 67)

Once a youth is stable on transition, and within that 90-day period, case managers may place him on formal parole. Parole can end successfully with termination from the juvenile-justice system by the Youth Parole Authority. Unsuccessful parole ends most often with secure care reentry or adult-criminal-justice system contact.

Something similar to Glenn's experience happened for Carlos, though the outcome was quite different. When I met Carlos, he was returning to secure care after an unsuccessful transition home. I listened as he spoke to Mike, telling him what had happened to cause him to return. Thin, with short, dark hair and a budding goatee, Carlos had an intense gaze and soft-spoken manner. He was a bit younger than most secure-care residents at 15 years. He had a superb memory and talked about remembering "everything" that someone said to him. As the months progressed, he repeatedly reminded me of our prior conversations and things I had told him. Carlos loved deep conversations. He believed in destiny and karma and that God had already decided what would happen to him. He perseverated on what adults meant when they said certain things to him, and yet he almost unfailingly found them opaque and took them at their literal word.

Before I met him, Carlos had a short initial stay in secure care. During his 6-month stay, he impressed school teachers, staff, and his case manager with his

intelligence and promise. He seemed more like a gangster "wannabe" than someone with active, and thus more problematic, affiliations. Carlos had been out in the community for a few weeks after leaving secure care. He snuck out of the house at night to "go see a girl" because his mother was so strict and he couldn't "talk to her no more." His mother found out, reported him missing, and JJS officers soon found him with the girl.

Officers brought Carlos straight back to secure care. Carlos was not happy to be there and worried constantly about how much additional time he might face. He claimed he heard different estimates from staff, from weeks to 6 months to a year. Over the next couple of weeks, he became angry and withdrawn. He refused to "do treatment." He began to make threats against staff and youth. And he ultimately attempted to stab a fellow resident with rival gang affiliations. Carlos then spent the next several months in isolation and in and out of court, in an overt attempt to get himself transferred to the adult system to avoid having to "do treatment" and stay at the secure-care cottage to which he had been assigned. Eventually, Carlos achieved that transfer, was certified by the juvenile court as an adult, in a hearing where the case worker told me the judge made reference to Carlos's chosen identity as a gangster as one reason supporting certification. In adult court, Carlos was found guilty of aggravated assault and sentenced to jail.

Even though Glenn and Carlos returned to secure care during their transition back to the community, they had fundamentally dissimilar experiences at the two cottages in my study. Their situations were different in many important respects: Glenn's primary issues were struggles with drugs, both using and selling. Unlike most youth in secure care, he came from a surprisingly middle-class background. His mother worked in a managerial retail position. And their lives were high on consumption – credit cards, name brands, parties, vacations, fast cars, and cell phones. By contrast, Carlos had more friends with gang affiliations and seemingly lived closer to poverty. His

mother was devoutly and strictly religious, worked at her church, was raising young children, and her primary language was Spanish. Glenn had a longer and aggravated sentencing guideline, whereas Carlos's was minimal at 6 months.

The boys had some similarities as well. Both boys had nonfather males in their lives, but their mothers were their primary guardians. They struggled intensely with family relationships, especially with their mothers. They were intelligent and articulate, showing academic promise though less engagement with schooling. And both boys were able to verbalize, much of the time at least, what was on their minds.

The stories about Glenn and Carlos are notably incomplete and necessarily partial, but they speak volumes about the challenges of transition out of secure care and back into the community. Even though success stories in JJS definitely exist, the "failures" (however narrowly defined) are salient and worth considering for their instructiveness on how and why JJS can fall short of its goals with youth and what reforms might partially mitigate the multitude of risks facing these youth transitions.

In this chapter, I continue the discussion, begun in earlier chapters, of the BARJ philosophical-approach that guides the work of JJS, this time with a focus on community safety. I discuss its conception at federal, state and program levels. Recognizing that the immediate goals of community safety are largely met by taking youth out of society and placing them in secure care, I consider community safety in terms of readying youth for transition back to the community after secure care. I address conceptions of recidivism both in terms of youth developmental considerations and the lived experience of staff in secure care. Given these experiential realities, I explore how a procedural justice approach to secure-care interactions addresses identity and treatment concerns for youth *and* for staff. Finally, I consider briefly the political implications of a procedural justice approach in delinquency treatment.

BARJ Conceptions: Community Safety

The Balanced and Restorative Justice model, adopted by the Division of Juvenile Justice Services in 1996, posits three main and coequal components: accountability, competency development, and community safety. Chapter 5 examines how accountability is manifested through interactions in secure care. Chapter 6 discusses competency development and efforts to provide treatment services to secure-care youth. This chapter addresses the third BARJ component of community safety, once again considered in terms of the same three sources: the OJJDP report on the BARJ model (Bilchik, 1998), annual reports of the Division of Juvenile Justice Services (see Utah Division of Juvenile Justice Services, 2015), and the secure care cottage policy manual.

OJJDP defines community safety as a feeling of "peace, harmony, and mutual respect" that occurs when "citizens and community groups feel that they personally can prevent and control crime" (Bilchik, 1998, p. 27). Immediate and long-term safety concerns rely on different practices for their achievement. A BARJ approach to community safety aims to "reduce risk and promote the community's capacity to manage behavior" (p. 27). Surveillance and monitoring of youth by different parties – juvenile-justice-system professionals, community mentors, families, teachers and others – form a major component of community safety but can be done directly or indirectly. For example, direct surveillance can be through incarceration, electronic monitoring or case management techniques like probation or parole. Indirect surveillance can be achieved through involving youth in "structured, supervised, and productive activities" such as community service, school, employment, and other skill-building programs. OJJDP calls this indirect approach "natural surveillance" (p. 31).

The report recognizes that immediate community safety goals are served by incarceration and surveillance like secure care but occur at some cost. The report states, "although incarceration may limit opportunities for offending in the short term, the

effects may increase the risk of future offending" (p. 32). As the discussion of deviant peer contagion and the problematic outcome results of secure-care programs confirm in Chapter 7 and in the "what works" literature (Greenwood, 2006; NRC, 2013), control efforts aimed at short-term community safety can run the longer-term risk that an intervention may cause harm even while it offers immediate benefits.

A second component of community safety is collaboration between the juvenile-justice system and local communities to help develop community capacity to control crime and strengthen neighborhoods. OJJDP sees the role played by juvenile-justice-system professionals and local community members as serving "as role models to aid the youth in fulfilling their obligations under restorative justice" (p. 30). The justification for this focus on role models is that youth connections to positive community members, feelings of connection to one's community, and care for the people in one's neighborhood all help to create conditions that inhibit offending.

A final aspect of community safety in the BARJ report is how the three components overlap (Bilchik, 1998). Efforts at competency development, such as anger management skills, can help to increase longer-term community safety. The process of holding a youth accountable for offenses can benefit community safety goals by teaching youths to make amends for their actions and seeing interconnectedness in their community. The ways in which accountability practices are implemented make the difference in whether they will achieve community safety goals. Perhaps most importantly, *how* the juvenile-justice system pursues BARJ components can have a negative impact on the other components or on juvenile-justice-system goals generally.

At a state level, the Division of Juvenile Justice Services understands community protection to mean that "the public has a right to a safe and secure community" (Utah Division of Juvenile Justice Services, 2015, p. 7). As a division, it works "to protect the public through processes which include individual victims, the community, and

offenders as active participants" (p. 7). This brief statement of the division's commitment to BARJ leaves out much of the specificity of the federal report. And there is much about a secure care setting that makes some of the community development aspects of community safety difficult to provide. Indeed, efforts toward the longer-term aspects of the community safety are likely better accomplished by JJS programs other than secure care, such as early-intervention programs and case management.

That said, it is no surprise that what is most obviously missing from secure care's approach to community safety is the collaborative work with community stakeholders in the ways envisioned in the OJJDP report. JJS receives community participation through the donated work and resources of volunteers. What is less obvious is any systematic effort that the Division plays in community development efforts to help strengthen neighborhoods. These efforts are not completely absent: I have helped paint houses, participated in Sub for Santa efforts, and helped individual JJS staff to support local family needs. But I know of no systematic effort by JJS – such as beat probation or other efforts at local neighborhood problem-solving – that would move it from a case-management approach to a more community-focused approach to community safety. Even if secure care may not be the JJS program most directly linked to community-building efforts because of its focus on individual youth that have been determined to need separation from the community, there are approaches to secure care that can help community development and longer-term community safety issues.

At the level of the cottage, as was true for accountability and competency development, community safety takes on a specialized focus. In the cottage manual I obtained, the community safety goal aims to assure "safety and security while the youth offender is incarcerated, teaching relapse prevention techniques, encouraging appropriate relationship building between the youth and the community, and coordinating with transition and parole services." A variety of activities are contemplated

as promoting community safety, including providing supervision and structured activities, teaching skills like victim empathy and other skill building, and providing services like family counseling and family treatment groups.

Community safety ideals were operationalized differently by the two different cottages I observed. As with all secure care facilities, immediate community safety needs are met by taking youth off the streets. In Cottage Bravo, efforts to provide community safety were rarely discussed directly except when staff reminded youth that they were locked up to help keep the community safe. However, this cottage, in many ways, seemed surprisingly close to the community. Family Night brought parents into the facility to build longer-term conflict management and communication skills to help mitigate family tensions. In addition, staff seemed aware of and connected to community issues and the ways youth might be affected by what was going on "on the outs."

By contrast, Cottage Summit had a more explicit approach to community safety. Staff worked to provide longer-term community safety through the careful use of volunteers in the transition process. The cottage supervisor worked with community volunteers to help to locate working and living opportunities for secure care youth as they were ready to transition to independent living situations. Usually the arrangements came with the kind of "natural surveillance" achieved by having vested adults around a youth during structured activities. Cottage staff then joined with case managers to supervise a slow transition back to the community, usually through home visits of increasing duration or days out at school/work and nights in secure care. Youth came to know these volunteers during their time in secure care as they visited regularly and led social activities. Volunteers built role-model relationships not just for the time in secure care but to sustain a transition to community life. In my estimation, these arrangements often felt supportive to youth, even while youth did not always meet with success in

terms of outcomes.

In Cottage Summit, staff also worked hard to create an environment – "a treatment milieu," said the supervisor – that put youth into a new situation intentionally, one often dramatically different from their accustomed surroundings. That new environment attempted to teach discipline, persistence, self-regulation and skill development, setting a high bar for youth behavior, and to show youth an alternative approach to life. As I have said earlier, youth generally hated aspects of it, but according to the supervisor, they also benefitted from it though sometimes not immediately. Youth, on occasion, would come back to Cottage Summit after years on the outs to thank staff for their dedication to teaching them a new way of living. Sometimes these youths were not able to immediately put into practice the skills taught them in Cottage Summit, but they maintained that they were able to hang on to this Cottage Summit experience and draw on it years later, eventually achieving the community safety benefits sought by staff efforts.

In summary, the BARJ goal of community safety has short-term and longer-term goals that are accomplished through different practices. Short-term goals of community safety are achieved through removing youth from the community and placing them in secure care or under some other type of surveillance and monitoring. Longer-term goals that involve community-building are less directly achievable by secure care due to its focus on the needs of individual youth in a locked setting. But secure-care cottages are still able, in different ways, to work with youth in ways that help to encourage longer-term community safety, including certain efforts at accountability and competency development, and through explicit work on transition efforts as youth leave secure care and reenter the community.

Back to the 'hood: Fear and Preparedness in Secure-Care Transitions

Community safety is served not only by taking youth out of society when they have been shown to be a significant risk to it, but also, and perhaps primarily, by preparing youth to live productively in it. Time in secure care is spent, in part, in preparation for return to the community, helping a youth to be less at risk for the kinds of behaviors that prompted referral to secure care. The bulk of the time is spent "doing treatment" or, as discussed in Chapter 6, on competency development more generally. A telling indication about how a youth might do in the community is during "transition," the "0 to 90" days following release before a youth is signed onto formal parole.

During my observations, I watched 15 youth "get their zero" and transition to the community. Although youth varied considerably in the amount of bravado and sureness they expressed, every one of the 15 youth demonstrated behaviors that indicated their nervousness about returning to the community. Some exhibited agitation or irritability. Others vocalized their nervousness or fear. Still others became overly confident, making missteps with staff that sometimes led to setbacks in cottage life.

By the time Isaiah was readying to leave secure care on transition to parole, he had achieved a leadership role among youth in cottage. He was detail monitor and thus supervised other youths as they completed their cleaning duties. He had a charismatic personality, a physically big presence, and at 18, he was also one of the oldest youth. Other youth treated Isaiah with respect, and Isaiah liked the leadership role. In truth, it mimicked his (and many other youths') aspirations for power in street life. I wondered how much of his "natural" leadership was based on behind-the-scenes intimidation.

As the time approached for Isaiah's transition, he appeared increasingly taxed by worry and doubt. He regularly wanted to talk to the supervisor to get updates on his release plans. He spent more time talking quietly and seemingly conspiratorially with

his “homies” in the cottage about his pending return to their ‘hood. And he became increasingly agitated in his detail monitor role, showing less patience with his fellow cottage residents and being quicker to deliver consequences for imperfectly completed tasks. The corresponding level of agitation rose in cottage as the last few weeks passed before Isaiah’s release. By the time he left, he had become terse, even defiant. Staff members commented that he went from being a “positive leader” to a “negative leader” in cottage. Some staff wanted to assess consequences for Isaiah’s poor behaviors, and indeed, he was taken off of his detail monitor assignment. But all staff agreed that they did not want to lengthen Isaiah’s stay because it would benefit no one. Isaiah’s situation was touted as a negative exemplar of what happens when a youth stays too long, past his prime, in secure care. A cottage should send a youth out on transition when “he’s at the top of his game” so he has the best chance at success, so the narrative goes. Ultimately, when Isaiah left, he went almost immediately, because of his age and because of an offense he soon committed, to the adult system.

Timing is one significant consideration for release from secure care. Cottages have limited control over timelines insofar as the Youth Parole Authority must grant a parole hearing date and then approve plans for transition back to the community. Also, case managers must create those transition plans, including living situations, school enrollment, and where applicable, continued treatment placements and employment. Coordination of care can work well or poorly depending on the staff involved, the relationships among them and a myriad of other factors: budgetary considerations, placement availability, family cooperation.

Two relevant issues are implicated by this concern with timing. First, what happens when a youth’s newfound confidence in secure care dissipates with the approaching day of transition back to the community? What do staff learn about youth as a consequence, and what can be done about it? One particularly telling interaction

happened when I interviewed John just before he left on transition. I did not know John well. He left soon after I began my observations in one of the cottages. His easygoing manner made our conversation calm and surprisingly candid. Unlike some youth who hadn't yet gotten to know me, John did not seem concerned to impress me. He spent time musing about what life would be like for him on transition. At one point, he told me, "[Staff] say you're not a criminal. You just made mistakes. I'm pretty sure I'm a criminal." "You're pretty sure you are a criminal?" I echoed.

> Yeah. I still have the criminal thoughts, like damn, I wanna hit that kid, but it's not on my priority… I still think about stealing and fighting and criminal mischief and stuff, but I just don't do it. To me [staff] think that they can change everything, anything about us. I think they see it as in "'we're gonna like help 'em see that they can do good and then it'll become easy for 'em.'" But it doesn't happen like that.

In my field notes, I characterized John as "despondent" when he made these comments.

John spent 8 months in secure care, and he was about to go home with a significant conviction that, despite what he was told by staff, he was likely a criminal. He didn't want to be a criminal, but his thoughts told him otherwise. When I mentioned this to staff (who did not know this youth), I was struck by their consistently strong reactions. One said in an interview,

> That's the worst thing we can do as a staff. No, because that's not the case, because you have thoughts? No, not just because you have thoughts. It's behaviors; it's behaviors; it's behaviors. Hey, temptation, it's gonna be there. To be tempted is human. To fall, that's the problem. You know what; mistakes are going to be made. You cannot expect perfection. You cannot expect them not to fall back in certain areas. They have to have been able to [develop] the communication skills, to have processed in the past, and realize, "Okay, if I make my mistake, I know how to solve problems. If I do something wrong, I know who I can go to." That's where the relationship with the staff can be crucial.

Another shook his head and said, "We failed him. If he left secure care thinking that and staff never figured that out and worked on that with him while he was in secure, then we failed that youth." Even if this judgment is true, when these realizations come to light late in a youth's stay in secure care, staff are in a difficult situation. There is little they

can do within the remaining time frame. To keep a youth longer based on their admission feels punitive to a youth. And yet sometimes it is precisely the quickly approaching transition date that impels a youth to disclose things to staff, things that did not feel urgent when there were months left to serve of his sentencing guideline.

During his time in secure, Glenn and I had many conversations about his challenges in terms of drugs and family dynamics. In the week or so before Glenn transitioned home, I showed up and he clearly needed to talk. He approached me quickly and directly, somewhat uncharacteristic of his more usual habit of hanging back and sliding slowly into casual conversation. Soon, staff directed all the boys to "go down" to their rooms. As I got up to walk Glenn to his room, Jordan told Glenn that he could stay out and talk to me. This highly unusual announcement surprised me, but Jordan nodded to me in a way that suggested Glenn really needed to talk.

Glenn and I sat in the staff office for about a half an hour and he talked and talked. This extended excerpt is from my field notes:

> Glenn admitted to me that he's been having a hard time thinking about getting out, that he's worried now about smoking weed, about selling [drugs]. He says that for the last five years [before secure care when] he was home, he was doing and selling drugs, and now he's worried about going back and living there. He talked about how a friend recently got into trouble and that if he had gotten out earlier, he knows that he would have gotten in trouble with him. He worries because he feels weak, acknowledging that he was so confident earlier in his stay and he wanted nothing to do with drugs, but lately it's like the temptation is becoming more real, and he feels worried and weaker. He says he's not sure if that's just the reality of addiction or if it means something weak about him. He talked about not liking Narcotics Anonymous because of the religious aspect, but now he is starting to think about how it might be a resource for him. He worries about relying too much on his mom, or at least having her as his almost only support. He wants to volunteer somewhere because he thinks it will make him feel better to be involved like that. He returns again and again to this [worry about] weakness. He said he is afraid that he doesn't know who he is and so fears that means he won't be able to become who he wants to be. He said he wants to become a father someday and [doing] that takes responsibility. Smoking dope just isn't part of that, he says, and if he couldn't stop [using] then he couldn't be who he wanted to be.

Glenn's vocal worries conjure many of the treatment issues that youth address

while in secure care: the importance of giving back (volunteering), the need for support systems, the helpfulness of continued treatment efforts, and the influence of "bad friends." They become focal points for Glenn's worrying insofar as treatment gave him the vocabulary to discuss his risk factors. This shift for Glenn from confidence to anxiety surprised and unsteadied him. Staff, of course, expect this kind of shift because they see versions of it in nearly all youth. Staff respond differently to different displays of nervousness: riding out the storm with Isaiah with fingers crossed, making time for Glenn to talk through his worries, and confronting some youth about their rising concerns. Sometimes transition stress can have serious consequences: violent incidents or other efforts at "self-sabotage" can result in transition being postponed, perhaps indefinitely.

John and Glenn are two examples of how youth express the worries of transition though many youth are not as articulate about them, as Isaiah's case further demonstrates. Although secure-care youth are different in important ways, they almost all experience transition stress. I never met a youth who didn't find that thinking about going home was at once much anticipated and stressful. Like John, Glenn did not resolve his worries by talking to me that day. At best, he addressed his immediate anxiety by having someone listen intently to his concerns. Staff perception is that there is very little they can do without extending the time that a youth stays in secure care. In moments like this, staff would point to the need for a transitional program that helps youth precisely with these emergent issues.

The second time-related issue asks how to estimate a youth's ability to transition successfully if his newfound confidence is so transient that it is lost in anticipation of release, as with Glenn or Isaiah. Perhaps a profitable way to look at this issue examines the kinds of stressors youth face in secure care versus on transition. While we may be able to say rightly that transition stress is a kind of anticipatory stress, it is worth

considering whether skill at readjusting to society after months in a locked environment is the kind of skill that translates productively to law abidance. Relatedly, the skills taught to youth in secure care – either those taught directly in treatment or those taught indirectly in terms of the general experience of being locked up – may be more or less relevant. The skills are definitely useful to youth while they are in secure care because the environment is designed to help youth to use and practice them. However, I heard many staff stories about youth trying to use their anger management or communication skills with family members upon release and being rebuffed or accused of having been "brainwashed" or even physically assaulted as a consequence. Such stories do not indicate that secure care should refrain from teaching communication skills, but the environments to which youth will return after secure care bears consideration when evaluating the value of the skills taught to them. As Frankenhaus and de Weerth (2013) write,

> if distressing behaviors (e.g., high levels of vigilance) serve a function for the individual (e.g., protect against violence), modifying these behaviors may entail not only benefits (e.g., stress reduction) but also costs (e.g., underdetection of threats) – especially if the individual remains in the environment in which he or she developed. (p. 410)

Youth often return to their environments of origin (even if they are temporarily placed in a proctor home or some other kind of "step-down" living situation) because the temptation to return "home" to family or loved ones or "homies" is, at the risk of understatement, strong. Secure care is in the business of breaking habits (e.g., drug use, gang membership, criminal activity), but sometimes those habits come with blood relations (e.g., family members as gang members or abusers or drug providers) and allegiances that can be nearly impossible for youth to conceive of altering. Because they return to those environments, whatever youth learn in the artifice of secure care should help them to negotiate the very real environments from which they came to be truly useful.

One way of thinking about skill value is in terms of adaptation. New psychological research findings are beginning to show that children from stressful backgrounds develop ecologically-relevant skills compared to safely-nurtured peers, even when they score lower on cognitive tests (Frankenhuis & de Weerth, 2013). The "fit" of one's skill set, then, may develop in response to local environmental conditions. Further, adolescent brain development, specifically the synaptic pruning discussed in Chapter 6, provides another source of adaptation. Synaptic pruning is the process by which adolescent brains shed unused or less used synaptic pathways in favor of those that their brains are called upon more often to use. The specific content of a youth's environment thus has a bearing on his ability to be successful.

For example, driving a car requires certain cognitive tasks (e.g., estimation of relative speeds, vehicle handling, adjustment based on driving conditions). Of course, secure-care youth do not drive a car for the entire time they are in secure care. As a consequence, they probably leave secure care, at least initially, as worse drivers than if they had been able to drive regularly. They can certainly regain these driving skills over time, but for teens, the issue is more significant than simply whether one is accustomed to doing a certain task. The issue is that when teens refrain from particular cognitive tasks over time, the brain – through synaptic pruning – will change to make it harder to do those things in order to make it easier to do more frequent tasks. Adolescence is, in the words of juvenile-justice expert, Frank Zimring (2005), "a learner's permit for adulthood" (p. 17).

The question then becomes whether one's adolescent experiences provide an adequate learner's permit environment for living prosocially in the community: the goal not just for secure-care youth but for adolescents more generally. To be effective, secure care needs to break bad habits and help youth to create new ones. It should do so in a way that allows youth to practice the new skills in environments that are similar to the

ones to which they will return after secure care. I argue that a significant portion of the transition stress that youth feel is about the way they *know* that the skills they learned in secure care are, at best, a difficult translation to their life "on the outs." New skills, like new vocabulary, take some time and practice to become active in one's daily life. When the implementation environment is dramatically different from the learning environment, that application is made harder. Sometimes that difference is unavoidable, but it bears questioning if that needs always to be so for secure-care youth.

A tension exists between adolescent needs and community safety needs. The conduct that moves a judge to take a youth out of society, produces conditions that make it harder to give youth the skills and developmental environment that are needed to ultimately produce successful outcomes. This dissertation research supports the work of those who contest the productivity of secure care even while it continues as a prevalent policy approach. This research provides evidence for a particular approach to mitigate some of secure care's more problematic aspects. Policymakers should rethink what kinds of environments the state should provide for high-risk youth, particularly since research already shows that secure care and residential treatment facilities run the significant risk of making youth more rather than less delinquent (Greenwood, 2006).

The stress that youth face during their transition from secure care back to the community could be productively addressed by making the secure environment less divergent from the environment to which the youth return. As Cox (2011) suggests, behavioral treatment approaches can sometimes result in the domination of youth rather than their empowerment, especially, I would argue, when youth have few opportunities to experience the real-world practice and benefit of their use. The goal of environmental similarity offers the benefit of consistency with adolescent-development needs. Practical opportunities to exercise self-discipline and self-control in realistic settings may enable youth to have more confidence that the competency-development skills they have

learned can be implemented successfully on transition. Importantly, the environments from which youth arrive in secure care and to which they often return are not environments that the state would want to replicate, as they are sometimes rife with illegal activity and violence. Stemming the violence and the out-of-control aspects of youth lives is one solid benefit of a secure-care environment that differs markedly from youth environments of origin.

The challenge is significant: How might secure care offer an environment that is consistent with youth developmental needs, provide immediate and longer term community safety, and prepare youth effectively for a smooth and law-abiding transition back to society? Given such tall orders, perhaps the goal of changing the environment into which many of these children are born – conditions of poverty, disparate policing and confinement practices, societal discrimination, intergenerational crime or gang involvement – should be the goal. But the stubborn reality of youth lives and our even more stubborn societal predisposition to focus on individual accountability rather than societal accountability for the production of juvenile delinquency means that attention to the condition of secure-care environments is the more productive, if not ideal, choice.

In summary, the experience of transitional stress is common for most youth who prepare to leave secure care. Most youth return to the environments from which they came, and the skills that they learn in secure care may not be readily transferrable to their community lives. Secure-care staff are limited in their abilities to address these transitional needs of youth, both because the needs often emerge close to the time of release and because of the marked difference between secure care and community environments.[75] Attention to the developmental needs of youth to have regular cognitive

[75] A further reason why secure-care staff are limited in their ability to address the transition-emergent needs of youth is because they are precluded, by policy, from initiating continued contact with youth when youth are in the community. Many staff that I spoke to felt that this policy frustratingly limited them, even as they acknowledged

tasks that are both prosocial and relevant to their community environments can help to lower the transitional stress level as well as make time spent in secure care more productive. If we accept as fact that there are some youth whose actions demonstrate that they must be taken out of society to ensure immediate community safety needs, the challenge becomes the creation of a secure-care environment that is consistent with developmental needs so that secure care will be more effective at preparing youth for a smooth and law-abiding transition back to society and the creation of longer term community safety.

Recidivism: Complex Measures and Meaning-Making

Youth travel many paths after secure care. Of the 15 youth I saw leave secure care on transition to parole, 6 of them, including Carlos and Glenn, returned to secure care. Nine of them did not. Eight of the 15, including Glenn and John, completed parole successfully. Seven of them, including Carlos and Isaiah, went to the adult system either while on transition or parole. By about 4 years after completing my field work, about 60% of the 29 total youth in my study, or 17 youth,[76] were in prison or jail or had been since release.[77] At least one of the 15 youth has died since the completion of my field work.

During my study, when JJS staff knew about them at all, they spoke about disappointing recidivism statistics for youth, especially for those in secure care. One staff person told me, "Only three in ten of our [general population] youth succeed." Others told me that recidivism rates hovered around 60%, with lower recidivism rates for sex offenders than for the general population cottage youth I observed. The JJS 2015

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the ethical conduct violations and workload inequities that this policy was designed to prevent.

[76] This number includes youth who paroled after I completed my observations.

[77] These findings are based on a cursory public records search not on an effort to track youth over a period of time in any official manner.

Annual Report (Utah Division of Juvenile Justice, 2016) suggests that about half of all secure care youth avoid another misdemeanor-level or felony-level charge within the 1st year after release, and about three-quarters of them avoid a felony charge during that same time period. These rates combine sex offenders and general population youth, boys and girls. It is widely held that of these three groups – general population boys, girls, and sex offenders – general population boys have the highest recidivism rate.

Sometimes, it seems, secure-care youth have to make an additional law-related mistake, even going to jail or prison, before they turn their lives around. According to JJS conventional wisdom, that subsequent instance can be the turning point for behavior change. At other times, youth still need to grow and mature, continuing low-level delinquency or worse until they hit a point where that "light bulb" goes on, and they change life direction. Others do not change their ways, going on to commit crimes that land them in prison, sometimes for lengthy sentences. Secure-care youth are the least likely of all JJS clients to have "good outcomes" in part because they are the group of youth served by JJS that are at the highest risk for delinquency and have the lengthiest delinquency histories.[78]

The dramatic reductions in delinquent activity while youth are in secure care or other JJS programs amount to crime suppression. These data demonstrate the accomplishment of immediate community safety goals. Recidivism calculations can be a way to track longer term community-safety goals, but how recidivism rates are calculated can affect perceptions of program effectiveness. For example, calculations can examine different time periods for recidivism, sometimes tracking youth into adulthood. They can use different standards: levels of offenses, convictions or charges. As stated above,

[78] For example, in comparison to diversion programs – which aim to divert early offenders away from the juvenile-justice system – 81.3% of youth remained free of any charge for 90 days after program completion and 97% remained free of any felony-level charge. These desistence rates appear better than for secure care, but note the difference in the time period reported (Division of Juvenile Justice Services, 2015).

JJS reports secure-care recidivism through the tracking of new charges juvenile acquire within 1 year after release. Charges though are not crimes; they are accusations. The risk of using charges is one of overstating the tendencies to recidivate. Further, disproportionate minority contact with law enforcement is an established fact nationally and in Utah for youth of color (Coalition for Juvenile Justice, 2010). Tracking charges may especially overstate the number of youth of color who recidivate. Counting convictions too is problematic. Charges are sometimes pled down; delays in processing can result in incomplete calculations; and refusals to prosecute can complicate calculations and significantly distort results, usually with an aggregate tendency to understate recidivism. Either choice – charges versus convictions – yields different results and perceptions of effectiveness. Tracking both charges and convictions, instead of just one of them, as part of a more complex measure of recidivism measure can help offset the different estimations and also offer a valuable sense of recidivism as a measurement over time.

Many staff in my study proposed the calculation of recidivism through a sort of step-down calculation. They were convinced they were not in the business of creating perfect citizens and they were able to help many youths to lower the severity and/or frequency of their offenses. For instance, if a youth came to secure care for gang-related offenses including aggravated assault with a weapon, staff wanted a successful recidivism measure that did not label that youth's next marijuana possession charge an outcome failure. This realist version of recidivism – an effort to track progress and not perfection – points to a couple of important considerations. First, male brains take nearly 30 years to develop fully (NRC, 2013), often with maturity occurring up to a decade after JJS completes its contact with youth. To expect total law-abiding behavior in such a severely at-risk population before they are done with maturation may be unrealistic, even as the community needs assurances about safety. Second, there are internal, nonaccountability

reasons for recidivism measures. This staff-proposed, realist version of recidivism speaks to staff needs, specifically, their need to understand the impact that they have on the lives of youth and to receive information and feedback about the effects of their work. To be able to know that they have some positive, measurable impact on youth, even if "zero recidivism" is elusive, can provide important benefits that can ultimately increase the effectiveness of the secure-care environment.

Measuring Unpredictability: Recidivism and Crime Desistence

Recidivism is not about prediction. It is about the actions of youth after youth leave secure care. But from a staff perspective, experiencing recidivism statistics is about trying to see into the future of youths *while they are still in secure care*. It is about being able to discern whether one's daily efforts are making an impact that will pay off later. The staff question, put starkly, is: Am I making a measurable difference in the life of this youth? Staff often raised the issue of recidivism in terms of prediction: the ability to predict which youth would "make it" and which would, by contrast, end up at "the big house."

One cottage's staff created a "Wall of Shame" where they put pictures of youth who went to prison after secure care. They told cautionary tales to current residents and they shook their heads with disappointment, anger, or frustration at the bad outcomes. Some cried openly about those youths whose funerals they had attended. Only the most cynical of staff were pessimistic about their abilities to make a difference in the lives of youth. The perspective might be voiced as, "we offer it [the skills and the lessons]; whether they take it or not is 'on them'." By contrast, I heard repeatedly one refrain: that the treatment message sometimes took a long time to "stick." Sometimes youth would visit many years later and talk about how "the lightbulb" went on eventually, and they changed their life. Staff said that these youths would claim that secure care taught them

a new way of living that made an eventual difference to them. Multiple supervisors track informally the outcomes of the youth they serve. Looking at county jail rosters; hearing stories from other youth; getting word from case managers or others; and hearing from youth, by phone or in person, all provided informal mechanisms to track the impact of one's efforts and to find meaning in the time and energy invested. One supervisor described it this way,

> I've been working in this field [for decades] … Along the way, I've had a lot of interaction with a lot of kids, [sometimes after many] years and they communicate to me that although they went to prison or jail, the stuff that they learned from the program that I created for them, or the way I ran things, impacted their lives later. They had learned the skills, but they didn't put 'em into use until [later]. And they were still appreciative. They had never experienced discipline, expectation and stuff like that, and never been pushed to a certain level. The fact that we did those things for them, [later] it wasn't foreign to them when they needed [those skills], when they actually said, "Oh, I am done with this crap." There was a kid [that I worked with a long time ago] … I was so hard on him … I ran a real structured [program] – this time to do this, this time do to that. I always had smooth shifts and everything. There was structure and everybody had a group. He hated it! We used to butt heads all the time… He got out; he didn't do well. Then a few years later, I guess he pulled his act together. Then when he was 31, he calls me and he says, "I really got my life together. I'm married. I got kids, and I'm having a problem with my 11-year-old." [Laughter.] He said, "I just wanna come in and talk to you because you really helped me a lot, even though I didn't realize it at the time."
>
> [That was when] it occurred to me that it really isn't predictable what they're going to do when they leave, but the service delivery – what we give them while they're here – is the most important thing because if it doesn't pay off when they leave, it will pay off later. If they do leave with the attitude that they're really going to put [their lives together], then they do have a certain amount of abilities and skills that they can use once they leave. If they don't [change], it's something that they don't forget because it really is impactful.

Through their work experience, many staff have come to the realization that they are "planting seeds," teaching skills and presenting alternatives that youth may not yet be ready to use. This recognition puts a somewhat different spin on the mission of secure care and, often implicitly, understands adolescent brain development as somewhat of a waiting game. Indeed, Zimring (2005) discusses delinquency desistence as the maturation process that ultimately turns youth away from "group criminality to noncriminal individual behavior" (p. 85), acknowledging the fact that most juvenile

delinquent acts are affected by peer group influence. Youth adoption of prosocial skills and alternatives in a more permanent way may be delayed until brain developmental imbalances (discussed in Chapter 6) even out. Although staff may not always think of the delay in terms of brain development, their lived experience of working with youth demonstrates what pediatric neurology has confirmed. Prediction is hard because youth are often still too early on in the brain maturation process. In contrast to the lived experience of staff, most juvenile recidivism measures do not account for this maturation delay. The more complex recidivism measures that staff seek implicitly acknowledges the importance of adolescent development.

The supervisor's views on prediction also raise the interesting point that there are ways in which common recidivism measures fail to take into account another important, and again unstated, goal of secure care: lives characterized by routine law abidance over the long-term. States like Utah measure the ability to stay crime free over a year or some specified period of time, but for a variety of reasons, we count outcomes as failures at the first mistake. If legal socialization is an ongoing process that leads to routine law abidance (as normal childhood development and the lived experience of staff would suggest), measurement should account for longer-term and longer-lasting outcomes not just the accomplishment of short-term outcomes.

Efforts at measurement are more complicated when measuring something where the payoff (crime desistence) occurs much further down the road than the investment (juvenile delinquency treatment). The question becomes what to do about outcomes that are so long-term they become difficult, if not impossible, to measure. Since full brain development occurs in males just before they reach age 30, then recidivism at age 18 is not an appropriate single measure for outcome success. Because staff understand their role as helping youth to gain skills and experiences that will help them later in life, even if there may be a long delay before they are adopted, a single measure cannot suffice. A

more complex picture of recidivism that incorporates multiple measures to get at the nature of crime-desistence patterns may be helpful. Adding a step-down measure that realistically tracks progress is one step toward that goal. Long-term measures that track youth outcomes over time may also be useful, though admittedly difficult. Still, demonstrating the impact of juvenile delinquency treatment in terms of crime desistence is a worthy goal. Because prediction is difficult, and single, short-term measures of recidivism run the risk of misunderstanding the juvenile-delinquency treatment process, especially insofar as it obscures the normal developmental process of youth, additional measures – like step-down and longevity measures – would create a more accurate portrayal of the work involved and the values expressed by that work.

Measuring immediate outcomes that get at short-term community safety issues (crime suppression and short-term recidivism directly following the services received) are important measures of recidivism, but they are only partial measures. JJS should create more a complex, multifaceted system of measurement that places emphasis on multiple crime desistence measures that track activity over time because they acknowledge the significant time delay imposed by normal adolescent brain development, the nature of working with high-risk youth, and the lived experience of staff who work with them.

Realist Measures of Recidivism: Staff Sustenance and the Feeling of Making a Difference

Despite the rather chastening immediate youth outcomes in my study, JJS does achieve success with youth. Case managers, secure-care staff, clinicians, and supervisors all boast proudly (and much like parents) about the youth that ultimately succeed. Staff generally love to talk about the youths they saw recently in a public place. A transition staff member told me of one such encounter at a convenience store across the street from

the private elementary school where she had just dropped off her grandchild. She said, "I saw this guy in front of me in line to pay, and he was all tatted up across the back of his neck. I thought to myself, 'He looks like one of ours.' Sure enough, he turned around and recognized me. Turns out he was dropping off his own child at the school. He told me about his family and his successful job. It was pretty gratifying after all this time to know he's turned his life around."

Another story involved a young man who had come to secure care after killing multiple people while driving drunk. He was a bright child that had made a huge mistake. He did well during his long secure-care stay, and as he left on transition, many staff felt like his future was bright. As one recounted, "I told him one day when we were walking down the hall at [the secure-care facility] when he was getting out, I said, 'Dude, you better do well. If *you* don't, you're gonna break so many people's hearts. You have to do well. If you don't do well, then what the hell are we doing?'" I heard variants of this story from multiple people. These stories demonstrate how important it is to staff to have some measure of their effectiveness. They require not perfection but sustenance, something to keep them going in the face of the adversity they experience in helping high-risk, troubled youth in difficult circumstances. They routinely express desire to receive that information not just from youth but from their employer.

In my study, staff expressed desire for feedback from JJS administration through repeated comments expressing dissatisfaction at not knowing what recidivism rates were and if their programs were "making a difference." Staff also sought the ability to make comparisons among programmatic approaches (e.g., different cottages within secure care), often as a way to test their intuitions about the effectiveness of the varied approaches they saw staff employ. What is apparent in this desire is the multiple goals sought by measurement. Measures like recidivism are commonly thought to help policymakers assess the performance of a program. Indeed, administrators are keenly

aware that program survival is at stake in recidivism measurement. A less commonly acknowledged but important goal for measurement is internal communication: providing staff with information to facilitate their work and meet their needs in terms of professional development, morale, and job satisfaction. Staff need sustenance; careful measurement and performance feedback can help provide it.

Finally, the supervisor's story about prediction in the prior section provides significant commentary about staff perspectives on recidivism. The story points to how staff make meaning from their work. They make decisions about how to approach their work based in part upon how they understand their work to make a difference in the lives of youth. The strength and confidence with which staff *know* what to do with youth comes to them, in significant measure, from their experiences working with youth. An important point here is that absent official information about the results of their work, staff use whatever means available to them to satisfy that meaning-making need. Further, when new policies and programs run counter to that work experience, staff may require significant explanation and, ultimately, counter-experiences to convince them to make changes to their practice. Behavior changes sought from a management level should address this effort at staff meaning-making in order to be effective.

In summary, complex recidivism measures that include long-term impact as well as measures of progress rather than perfection have important nonaccountability justifications. Designed carefully, they can provide feedback to staff in ways that influence how they approach their work with youth. Feedback measures can help to reinforce particular behaviors and minimize others, as I discuss in greater detail in the next section. A more complex approach to recidivism measures can also address employee commitment by helping to give meaning to the work by providing a sense of the effectiveness of the services staff provide. Crime-desistence measures, then, can be added to more traditional, short-term recidivism measures to reinforce developmentally-

appropriate programming and promote staff productivity.

Consistent Outcomes Versus Consistent Process: Grounding a Procedural-Justice Approach

Empirically, the rather wide variation of interactions between staff and youth raises a concern about consistency. Perhaps the variation might be deemed acceptable because it allows for the kind of individualized service provision that successful delinquency treatment requires. Throughout my observations, I saw strong support for this conclusion in the close, productive relationships some staff were able to create with some youth. These relationships set the groundwork for openness to treatment insofar as they help position staff as trustworthy role models for particular youth. Watching these types of interactions can be inspiring, especially because they tend to be common. This conclusion, however, is complicated by interactions on the opposite extreme: ineffective interactions between staff and youth that occur both because of bad interpersonal combinations and because of the negative effect, over time, that street culture influences have on staff (Chapter 7).

In terms of quantity, as mentioned earlier, the positive interactions far outweigh the negative ones. Ineffective interactions, though few in number, are problematic for several reasons. First, ineffective interactions can raise the level of anger in youth (individually and as groups), often needlessly and at the risk of violence given the population concerned. Safety and security should always be an important consideration in secure-care situation management. Second, ineffective interactions serve to model, unfortunately, the kinds of interactions that should be minimized in secure care insofar as they represent counterexamples to youth and may reinforce old habits. Also, because secure care raises the considerable and evidence-based specter of deviant peer contagion (Chapter 7), staff behavior should, at the very least, never contribute to this process of

harm. Further, this type of behavior lends itself to a ratcheting model where behavior becomes more problematic as it becomes *re*-presented and entrenched. Third, some youth are more difficult to establish close connections to staff in secure care because they bring with them a range of complicating issues that could make them, say, particularly volatile (e.g., explosive disorder) or distant (e.g., reactive attachment disorder). It is precisely with these more difficult-to-reach youths that positive interactions are important, both for how they stand to affect the youth in question but also for how they model appropriate interactions for all residents who find themselves in a communal setting that demands their cooperation often for months at a time. Finally, from a more theoretical perspective, these ineffective interactions are the ones that demonstrate the worst aspects of the "volatile and contradictory" nature of punishment described by O'Malley (1999). In these instances, staff effectively send messages to youth that are blatantly inconsistent with the policy goals the program seeks to achieve. Although I argue for a productive pluralism in secure care, taking out the most problematic interactions would mitigate the negative effects in important ways. Interactional consistency is a worthy goal.

"Consistency" is, in fact, a JJS buzzword that, much like accountability, is often invoked and rarely defined. The invocation is usually made by supervisory staff in relation to rules and consistent enforcement by staff. Relatedly, the most common accusation made by youth is that a rule enforcement (or lack of enforcement) is not fair because a similar situation occurred differently. When asked if residents ever then complain about inconsistency because the outcomes were different, a supervisor responded,

> Oh, absolutely! … We talk about that a lot [with youth] just saying you know, you're not the same as he is. And if you want us to treat you all the same we can do that, and that's called jail. I mean, we can just be right down the line with all of you guys and give you exactly the same consequences every single time. Does that work? And they're like, "Well, I know that doesn't work for me." "Okay, so

> you need to allow us to do some individualized stuff with you guys, based on what's going to work for you."

In response to supervisory staff and to youth accusations of unfairness, line staff often note differences in the situations, especially differences in "issues" presented by the youth. Among one another, staff also say that expecting the same behaviors between high-functioning and low-functioning youth (e.g., quality of bed-making or treatment assignment quality) is unrealistic, unreasonable, and in some situations, can set a youth up to fail.

My observations indicate that staff can struggle with this version of consistency and the tension between individualized decision-making and rules, not so much because they favor particular youth at the expense of others (although that too happens) but because the situations and individualized circumstances make on-the-spot decision-making surprisingly indeterminate and complex. Such decisions, made within a rule-saturated environment, can sometimes yield seemingly perverse consequences across situations. The decision to put Marco back into isolation for smiling and the choice by the lead staff to let Zach out of his room even though he did not go to school that day (Chapter 5) are two examples.

In other words, outcome consistency in a secure-care environment can be tricky to accomplish. The implied definition is similar to "one size fits all"– a kind of blanket approach that seeks outcome sameness. Unfortunately, in JJS this approach engenders a persistent worry among staff about the tension between individualized service provision and consistent rule application. Some staff find this balance so difficult to manage that they give up on it and instead "do their own thing," choosing to not worry about consistency of their actions in comparison to those of their fellow staff. Kimball's perspective in the staff-meeting discussion on how to curb Braden's manipulation of phone calls from Chapter 5 is an example. As I mentioned earlier (in Chapter 7), staff

generally do not do much constrain one another's behavior.

Another problem with outcome consistency is that it often underestimates the import of the quality of interactions between youth and staff to treatment outcomes. As I have demonstrated in earlier chapters, the idiosyncratic and unique characteristics of staff and their personalized (nonrule-bound) dedication to making connections with youth is often what makes profound differences in the experiences of youth in secure care. It is not necessarily the case that all of these interactions would be ruled "out of bounds" in the name of outcome consistency, but it is certainly true that many of these interactions do not yield outcome sameness across youth because they are dependent on the individual connections staff make with particular youth. Staff certainly see it this way, as one case manager demonstrates:

> If you don't care, you just look at him as a number, as another number and as another name … For example, my coworker next door, he looks at a case and he walks in my office, he talks, and then we pull in three other people. We'll have about four, five or six people talking about this case. Staffing—you try and see [what's right this for this kid] … To me, I can also walk away at the end of the day and think [my coworker] really cares about that kid. Otherwise, he'll just look at a program, pick a program form up and say, "Let's just send him somewhere."

Although the "gain" of outcome consistency – in terms of the reduction of problematic interactions – may appear enticing, a loss of the most effective interactions is a high price to pay. To put it another way, when thinking of the group of high-risk youth served by secure care, it is possible, even likely, that the sacrifice of the most effective interactions could rule out many positive outcomes. Given reoffending rates, that possibility should be viewed with caution.

An alternate way of thinking about consistency does not carry the same potential costs. It involves bringing together concerns about adolescent development and identity (identity formation for youth and professional identity for staff). It also recognizes the importance of interaction and the influence of an environment that sees operative norms and everyday practices as critical to a secure-care setting. Instead of thinking about

consistency in terms of sameness of outcomes (e.g., consistent rule application across situations), a more productive way to think about consistency looks instead at process and especially, interactions. In the next section, I explore an approach to consistency in secure care called procedural justice. When used by JJS both in relation to work by staff (with youth and each other) and work with staff (by administration), I argue that it can help improve outcomes insofar as it pays attention to the developmental needs of adolescents, the importance of *treatment as process*, and the important implications for identity. Further, use of procedural justice in interactions can help combat the influence of street culture in secure care and even boost organizational commitment among staff.

Procedural Justice: Paying Attention to the Quality of Interactions

Procedural justice describes the quality of interactions that occur between a decision-maker and a decision-recipient. The basic claim in the procedural justice literature is that attention to the fairness of the decision-making process yields increased levels of satisfaction and compliance with the decisions of authority figures (Tyler & Lind, 2001). If decision-recipients believe that they have been given the opportunity to participate, feel treated with respect, afforded neutral procedures, and trust their decision-maker, then they are more likely to accept and comply with the decisions made about them (Tyler, 2007). This trend holds generally across age, race and gender differences and when someone has received an unfavorable outcome (Tyler & Huo, 2002). Procedural justice is especially relevant when people question the legitimacy of the system (Murphy, Tyler, & Curtis, 2009), something common to youth and families who find themselves subject to the juvenile-justice system. Procedural-justice concerns are analytically separate from concerns about outcome favorability and even outcome fairness. Rather than a focus on outcomes, procedural justice focuses exclusively on

process, and even more specifically on the quality of the human interaction that helps to produce decisions.

Children who experience fair treatment by their parents show increased abilities in managing peer conflict (Stuart, Fondacaro, Miller, Brown, & Brank, 2007). When adolescents find their treatment at school to be fair, they are more likely to find their experiences with other institutional authorities (like the justice system) to be fair (Sanches, Gouveia-Pereira, & Carugati, 2012). This study also found a link between adolescent perceptions of procedural fairness and decreased levels of deviant conduct.

Specifically within the juvenile-justice system, research has validated the importance of procedural justice in law enforcement interactions with youth (Arndorfer, Malloy, & Cauffman, 2015; Crawford, 2009; Hinds, 2007; Murphy & Gaylor, 2003), foster care (Augsberger, 2014), legal representation (Peterson-Badali, Care, & Broeking, 2007); juvenile court (Greene, Sprott, Madon, & Jung, 2010; Harris, 2007; Sprott & Green, 2010; Weisz, Wingrove, & Faith-Slaker, 2007), alternative dispute resolution settings (Hipple, Gruenewald, & McGarrell, 2014), probation (Penner, Viljoen, Douglas, & Roesch, 2013), and in secure-care facilities (Tatar, Kaasa, & Cauffman, 2011; van del Laan & Eichelsheim, 2013). Birckhead (2009) reviews the procedural justice literature developed by social scientists to help inform court-related questions such as jury trials for youth, waivers of counsel, and the role of parents in juvenile court. Murphy and Cheney (2010) show that procedural justice is more effective in generating cooperation with the police from youth of color who question the legitimacy of law enforcement. Taken together, these studies imply that youth offenders are on a developmental pathway that responds positively to fair treatment so as to affect their decision-making skills (including recidivism) at least in the short term. As some in juvenile justice have observed, given limited resources, it may make more sense to consider why adolescents comply rather than to dwell on their noncompliance (Birckhead, 2009).

The causal chain connecting procedural justice behaviors to compliance implicates many of the issues important to secure care: identity formation, the legitimacy of social control agents, and legal socialization. In this section, I discuss that causal chain and demonstrate how a focus on procedural justice can help create better outcomes for secure-care youth (see Figure 2). I make the coequal claim that for the application of procedural justice to be effective in bettering youth outcomes, administrators should use procedural-justice principles internally with JJS staff. Doing so will help to address particular working conditions in secure-care facilities and will reinforce professional staff identities.

The Important Elements of "Rapport"

In secure care, staff often know and are taught that the relationships they create with youth make important differences in how youth respond to treatment. "Rapport" and "relationship-building" are terms used frequently to denote what matters in working

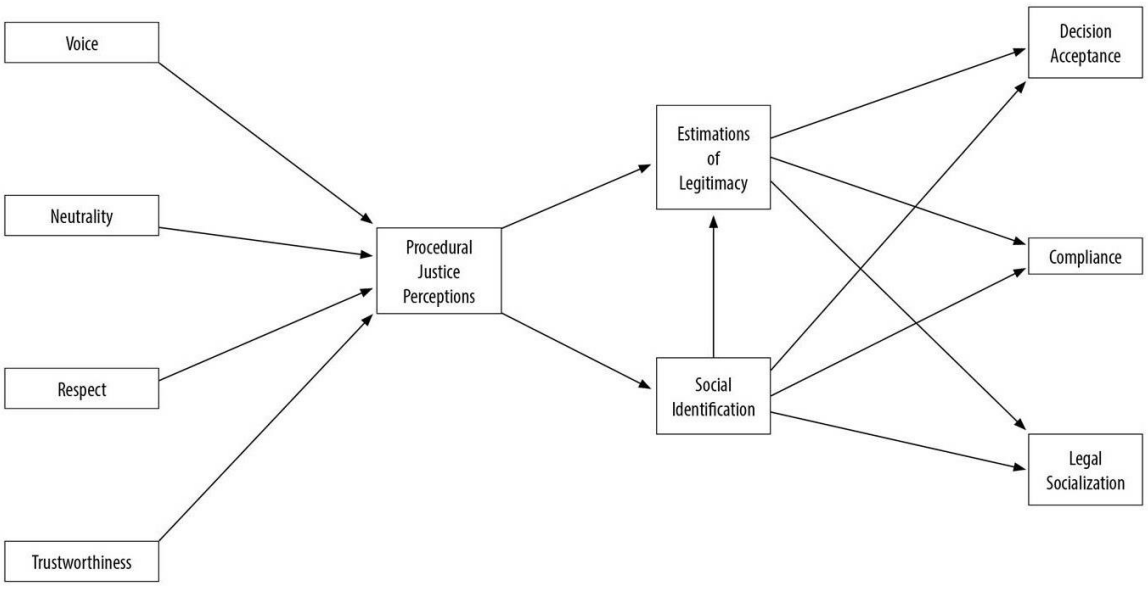

Figure 2. Procedural Justice Causal Chain

successfully with troubled youth. The issue becomes discerning what component parts of that rapport and relationship-building are essential. Does it include being a youth's best buddy? Is it giving youth what they want? Is it about having "street cred"? Can it be measured by how much youth like a particular staff member? Is being popular among youth – being a "cool staff" – an important measure of successful rapport?

The procedural-justice literature suggests that specific interactive elements help to build the kind of relationships with youth that make measurable differences in youth satisfaction and compliance (Tyler & Meares, 2016). First, being offered a voice or participation in the decisions made about them affects a decision recipient's perception of procedural fairness. Voice matters, the research shows, even when it does not affect the decision outcome (Tyler & Huo, 2002), but for the offer of voice to be credible, it should be offered prior to the decision being made (Burke & Leben, 2007; Cohen, 1985). Second, perceiving the decision-making process as providing a level playing field is another component of procedural fairness. Perceptions of neutral decision-makers that apply rules consistently across people contribute to procedural fairness judgments. An important component of neutrality is perceiving that a decision-maker provides adequate explanations for a decision (Shapiro, Buttner, & Barry, 1994). Being treated with the respect and dignity due to all people (Miller, 2001) is the third component of procedural justice. This version of respect contrasts significantly with the street version of respect based on fear and intimidation. Finally, trusting the motives of a decision-maker is the fourth component principle of procedural justice. Together, the research shows that these four components – voice, neutrality, respect, and trustworthiness – contribute to perceptions of procedural justice.

The procedural-justice literature thus helps elucidate what component parts of relationships between staff and youth contribute to successful youth outcomes. Procedural justice affects interactions where youth are subject to the decision-making

authority of staff, which, in secure care, is virtually all interactions. It is not about being liked or being popular or being "cool staff" or even giving youth what they want that leads to procedural justice perceptions that in turn yield better outcomes. Affording youth procedural justice is about fair treatment as empirically defined. Importantly, holding youth to high standards of behavior and expectations about their treatment efforts are not antithetical to procedural justice. Indeed, procedural justice is precisely what can help make it possible for adolescent youth to meet high expectations.

To understand the claim that procedural justice can improve the quality of treatment and facilitate the fulfillment of high expectations for youth, a quick review of adolescent development needs is helpful. Recall from Chapter 6 that the asynchronous brain development (between the prefrontal cortex and the limbic system) that typifies adolescence results in decision-making that differs significantly from that of adults, both in outcomes and in terms of physiology. Because of this imbalance, social decision-making develops later than other decision-making skills, and youth are especially vulnerable to being negatively influenced by emotionally-loaded, decision-making interactions. In acknowledgment of the synaptic pruning that also occurs during adolescence, youth stand to benefit in the present and in the future by engaging in brain activities (cognitive, emotional, and social) that mimic those that they will draw on in their time after secure care. All of these factors suggest that a focus on the elements of fair treatment contemplated by procedural justice give youth the kind of information and the process they need to draw them to better behaviors. Compliance is the immediate positive benefit coming from the application of procedural justice in secure care interactions, but legal socialization, openness to treatment and preparation for community life are others. In terms of moral development (see Chapter 6) and the tendency of youth to react to perceived instances of unfairness, treatment with procedural justice can help to avoid triggering the emotional responses that cut against

determinations of the legitimacy of staff.

A counter-example may clarify. Recall the interaction between Jordan and Marco, where Marco was accused of gang writing in a letter where he had written "cousin" as "cuzin" (see Chapter 7). Jordan's interaction with Marco was emotionally fraught, as was consistent with Jordan's provocative approach to working with youth. Marco's angry reaction included punching walls and making gang calls to assert his identity. It took hours for him to calm down. This interaction typifies the ways in which staff-youth interactions can trigger the vulnerabilities of youth brain functioning. The emotional freight overloads adolescent brain systems and youth *react* instead of respond to the interaction before them. Instead of generating careful, considered information to weigh the allegations against Marco, Jordan touched off a reactionary tirade that tapped into Marco's deep-seated gang identity. Rather than promote treatment progress, at least in the moment, Marco's allegiances self-protectively reverted to his presecure care sense of self and their associated behaviors, in ways that were not wholly productive.

By contrast, a straightforward, respectful and private interaction built on fact-gathering and asking for input from a youth prior to a decision being made, especially when based on trust established over time, creates a better playing field on which adolescent youth can function. When a youth brain can stay "online" during a decision encounter, rather than being derailed into the emotional fog that often accompanies reactionary punching of walls and other rage-based behaviors, teachable moments are more available to them and to the staff members offering them.

In my observations, Jordan possessed these skills and used them. For example, once when Glenn was upset at being given an earlier bedtime (and associated level) during levels group, I had tried unsuccessfully to help Glenn calm down. I then watched as Jordan expertly pointed out to Glenn that he felt unappreciated for all the progress he had made. Jordan listened as Glenn asserted that if we could see the paperwork from his

prior program participation, we would realize how well he was doing. Jordan listened carefully and responded in ways that helped Glenn to recognize that staff did see the change, recounting that Glenn had reestablished his relationship with his mom, worked to do his treatment and do well in school. But he emphasized that it was his job to help Glenn, and he wanted him not only to "not be criminal" but also to do well in his relationships. If Glenn had some rough edges, Jordan said, he hoped to help smooth them. Glenn's face gradually relaxed and brightened as Jordan acknowledged that Glenn wanted recognition for how far he had come. In my field notes, I write, "[Jordan] can be the opposite, can lecture and be negative, but he was incredibly skillful today and ended telling [Glenn] how much he cared about him, telling him they love him and want him to succeed." One important issue, then, is how a secure-care environment values these two different types of interactions with youth – with Marco versus with Glenn – and how staff distinguish between them.

Consider also how in Chapter 5, Ana worked with Armando after he had a difficult day in school. She listened to him, defended him in the group where he might have received an "early bed" for the poor school rating, and took him back to school to talk to the teacher. Ultimately, the outcome was unfavorable to Armando, and he had to live with the poor school rating and the "early bed" consequence. Because of *how* the interaction occurred, Armando accepted the consequence. Ana privately pointed out to me the positive benefits of how such an encounter occurs. She referred primarily to the outcome, but the focus here is on process, especially when the outcome is unfavorable.

As stated earlier, an important aspect of the procedural-justice causal chain is the perception of legitimacy, specifically estimations of the legitimacy of social-control agents like staff. Here, "legitimacy is the widespread belief among members of the public … that the police, the courts, the prisons and the legal system are authorities entitled to make decisions and who should be deferred to in matters of criminal justice" (Jackson,

Tyler, Bradford, Taylor, & Shiner, 2010, p. 4). Kimball's approach to working with youth is instructive. As one resident said about him, "Kimball, he's strict. He catches you, and [then] you're in trouble. But he means right. He's trying to teach us. He's been there. Every staff has their story. And Kimball is the way he is because he's been there. He's told us." This example demonstrates how this youth found Kimball legitimate because "he's been there," but also because he "means right." That doesn't make Kimball's decisions desirable in the eyes of youth. Few secure-care youths want to spend more time in their cell having been caught by Kimball for some rule infraction, but they can tolerate these "bad outcomes" because they deem him legitimate. What is evident, for example, in this short characterization of Kimball is a perception of neutrality, one of the elements of procedural justice: Kimball is perceived as strict with all youth. He provides a level playing field. The reason for his strictness – "to teach us" – is meaningful to youth and so they trust him. This youth accepted and abided by Kimball's decisions even when he found himself on the losing end of them. The experience is consistent with the role of legitimacy in procedural-fairness research which shows that treatment with procedural fairness engenders judgments of legitimacy that go on to affect compliance (Jackson, Tyler, Bradford, Taylor & Hiner, 2010; Murphy & Cherney, 2010).

Any plausible recommendation for secure care must address safety and security. Procedural-justice approaches build compliance by developing and tapping into the internal motivations of youth. Compliance is thus more durable and voluntary than blind obedience or acquiescence to greater expressions of power. Staff who expect immediate and total compliance by youth and who get that compliance through expressions of power or through overreliance on their authority often achieve obedience, but the result can be begrudging or fragile, sometimes provoking resentment that emerges in subsequent encounters.

For example, staff had differential abilities to get youth to "go down" to their

rooms quickly and efficiently. Secure-care youth are required to "go down" at staff shift change, at bedtime, whenever staffing ratios do not allow for adequate supervision, and critically, during any duress situation (e.g., a physical assault or other safety threat). Here are three examples from my field notes that demonstrate different ways staff managed this task:

- Example A: [Staff "A"] right away told the boys they would have to go down for a few [minutes] because he had to go [out of cottage for something]. It took him a surprisingly long time to get them to go down. Perhaps it was because I had just arrived, though no one was really talking to me beyond a "whas' up?" or "Where you been?" After a minute or two of no compliance, [Staff "A"] had to say, "Get in your room!" to a few of the boys. I was startled at how slow they were to comply, but I could see that he seems to only barely penetrate their psychic space. At one point [Glenn] said, "Hey, dawgs, we're really starting to irritate [Staff "A"], we'd better calm down a bit." I'm not sure his comment had any effect on the others, but I noticed it. He may have said it for me.
- Example B: I noted that the one time [today that Jordan] had the boys go down, he was able to do so quickly. At one point, he said, "if you're still sitting down right now and not on your way to your room, the group will have an early bed." That got any remaining stragglers up and into their rooms. The contrast with Saturday when [Staff "A"] tried to get the boys to go down was marked.
- Example C: At 2:50 [p.m.], [Kimball] said "nighty night" to all the residents, holding his hand up and pointing to the rooms. He is telling them to go down [even though it is not really night time] because it is time for shift change. Everyone went down. [Zach] and [Braden] said goodbye

to me as they entered their rooms: [Zach] maybe because he will miss me (or wants me to think so) and [Braden] because he was in close proximity.

In Example A, Staff "A" has a hard time gaining compliance from youth for a basic staff task in secure care. His predominantly correctional approach could contribute to this problem, but in my observations, it was more about his problematic relationships with youth. Staff A seemed untrustworthy to youth. They did not obey him because he was not credible to them, and youth often complained about the decisions he made. In fact, I would argue that one problem was that the reasoning behind his decisions was hard to assess. In other words, he was not transparent enough for youth to understand why he made the decisions he made, so in reaction, they judged his decisions as unfair.

In Examples B and C, Jordan and Kimball, respectively, are able to achieve immediate compliance with youth. As the field note excerpts show, they accomplish this outcome using markedly different approaches. Jordan gets youth to go down with a threatened consequence, not one aimed at any particular individual, but by putting each potentially noncompliant youth's standing at stake in the group outcome. By shifting attention away from himself and onto the potential discontent of a resident's peer group, Jordan gains immediate compliance. By contrast, Kimball nearly effortlessly does so with just two words, a slight wave of his hand, and a glance at the rooms. Had I not been looking at him when he did it, I might have missed his direction entirely. Although some might suggest that Kimball's routine focus on consequences for misbehaviors and rule infractions could make his wave of the hand seem like a threat, my observations suggest otherwise. Kimball set up appropriate *boundaries and limits* for youth. Youth understood the terms of the interaction and respected Kimball for his right to dole out consequences for infractions. It is less that they thought he always made the right call and more that they deferred to his ability to make it.

To complicate matters some, in other iterations of this event Jordan's approach often looked more like Kimball's: immediate compliance to a nearly wordless suggestion to "go down." Sometimes Jordan issued no threats of consequences. Still, the two staff members' approaches are dramatically different. To better understand the difference between the two approaches, consider Jordan's emphasis on reputation, developed earlier in Chapter 7. There, I claim that his effort to shore up his reputation as the "alpha male" means that sometimes he is able to achieve compliance without overt threat. The two approaches can thus look similar, but the issue is that they do not *feel* alike to their recipients. Kimball's approach produces trusted deference. Jordan's approach produces street respect and relies critically on the expression of dominance. Recall too, that street respect is much more familiar to secure care youth than Kimball's trusted deference. Jordan's approach, though it often produces immediate compliance, is more fragile. And even when durable, the compliance promotes not legal socialization but its opposite.

Although these are just three examples, I witnessed many others of each type during my observations. Example A occurred the most infrequently. Example B occurred the most frequently. Example C occurred notably by certain staff members. Ana, like Kimball, was able to achieve immediate and skillful compliance with youth. Her soft voice belied the respect she commanded in cottage, and yet the way she afforded procedural justice to youth was very different than Kimball's. Ana made treatment a priority, nurtured youth, and helped them to talk through their problems, listening and connecting with them on an emotional level. She asked youth what they thought about things, inviting their participation. She was widely perceived as fair, not playing favorites among youth and staff. She treated everyone with respect. And she was trusted by youth, even it seemed, those who did not make a close connection to her. When Ana told boys to go to their rooms, they went, despite the fact that she was physically smaller, usually quieter, and female (in a place where there are many fewer women and in a place

where sexuality and sex and gender are common preoccupations). The boys knew they did not *have* to obey her, but they did. Every time.

It is easy to see how the compliance obtained by Ana and Kimball is built on much more than is often readily apparent in these interactions. It is more than simply rapport. The ability to connect with youth by giving them a voice, treating them with respect, establishing trust with them, and by demonstrating a level playing field helps staff to gain a durable and internally-motivated compliance to staff rule enforcement. It enables staff to enforce high behavioral expectations among residents without resorting to what is commonly called efforts at "power and control" in JJS or what Mary Parker Follett (1924) called "power over."

In addition to those not insignificant compliance benefits, procedural justice gives adolescent development its due by treating youth in ways that help them to forestall anger and reactivity, giving their brains the time they need to make better choices. It recognizes that youth tend to be reactive to perceptions of unfair treatment due to their stage of moral development. By contrast, JJS conventional wisdom would say only that effective staff members have established rapport successfully with youth. Importantly, that conventional wisdom does not distinguish the critical differences between, nor provide relevant guidance to staff about, Examples B and C above. The critical ingredients of "rapport" in secure care are precisely the component parts of procedural justice: voice, neutrality, respect, and trustworthiness.

<u>The Interactive Process of Legal Socialization</u>

Legal socialization is "the process through which individuals acquire attitudes and beliefs about the law, legal authorities, and legal institutions" (Piquero, Fagan, Mulvey, Steinburg, & Odgers 2005, p. 267). Relevant research links procedural justice to the development of legal socialization (Fagan & Tyler, 2005) but not to the development

of rational thinking to make decisions (Fagan & Piquero, 2006). An examination of age and patterns of juvenile offending shows procedural justice to have a small but significant effect on crime desistence (Sweeten, Piqureo & Fagan, 2013). Penner et al. (2013) confirm that effect and show that it is shorter lived in youth than in adults. However, they also find that procedural justice has greater power than other risk factors (e.g., substance use, peer delinquency) to predict offending. What this means is that, at least in this study, the behavior of legal authorities had greater influence on juvenile reoffending than did substance abuse or the influence of peer delinquency.

Success in secure care is the cultivation of law-abiding behavior and, importantly, the internalized motivations for that legal compliance. Procedural justice furthers legal socialization of youth in all phases of a youth's stay in secure care and, in doing so, helps JJS to accomplish and convey the BARJ goals it sets for itself. The provision of procedural justice demonstrates a model for interpersonal and societal interactions that often contrasts markedly from youths' socialization to date. As discussed in Chapter 6, alternative ways of being in the world is one of the many things JJS staff hope to provide secure care youth.

Tyler and Huo (2002) note that perceptions of procedural justice foster self-regulation behaviors. Rather than a criminal mindset, youth come, over time, to accept legal constraints on their behavior not simply because they are forced upon them (by locked cell doors, correctional staff, and barbed wire) but because of their own internal motivations to comply. By self-regulation, Tyler and Huo mean that youth choose, using internal motivations, to comply with the expectations set for them, rather than being compelled by others to act in certain ways or do certain things. They may feel pressure, for example, not to let a staff person down or, conversely, desire to live up to what a staff member believes about their capabilities. Over time, they may come to identify with the values a staff person represents and internalize them. My time with secure-care youth

suggests that there may not be a skill more valuable to their subsequent success than self-regulation.

Zach, who had a tumultuous relationship with his mother, developed a close relationship with Ana that helped his legal socialization and self-regulation. Ana modeled motherhood for Zach, but she also used the quality of her interactions with Zach to help him gain insight into his relationship with his own mother. She did so through the trust she built with him over time, the respect with which she treated him, how she listened and asked him questions. She also relied, likely unconsciously, on Zach's identification process with her to nudge him toward new understandings about his relationship with his mother. Here is an excerpt from my interview with Zach at the end of his stay in secure care.

> Jennifer: You talked about [Ana], and that she matters to you.
> Zach: I call her my mama. "Mama," [I say] "Can I get a phone call?"
> Jennifer: What do you think you've learned from her? Has she taught you anything?
> Zach: She's taught me that my mom is a big influence in my life, whether I think she is or not. She's really taught me a lot of the stuff that I know now. I just never opened my eyes. I never cared. My head was really clouded, and I always just thought that she was the worst person.
> Jennifer: How did [Ana] teach you that?
> Zach: I don't know...
> Jennifer: ... How do you think she got that message to you where you eventually heard?
> Zach: I think she was the person that told me, "Hey, your mom's not gonna step back. Why don't you try to take a step back first and then if your mom doesn't go with it, just try and be persistent? Do the same things. Don't mess up and keep messin' up. Do good and stay good and I'm pretty sure, eventually she's gonna cave in and take her step back. She's gonna take her turn to step back." ...
> Jennifer: Is that what happened?
> Zach: That's exactly what happened; she was exactly right.
> Jennifer: Uh huh.
> Zach: I don't know. I had no idea, but it was actually in this very visiting room my mom [eventually] told me, "You know what? I'm actually starting to accept the fact that you're going to your dad's house and I'm excited. I really want you to do good." I'm like, "What?"
> Jennifer: Whoa. [*Laughter*]
> Zach: "That just came out of you? You have no idea how much that means to me, Mom." She didn't. She had no idea — 'cause she knew that if she kept forcing me to go back to her house, I was just gonna keep rebellin'. I was gonna keep doin' what I was doin'. That's actually what got me here [to secure care] was the fact

> that I rebelled from my mom because she wanted me to be with her no matter what. I said, "No. Hell no!"
> Jennifer: … [It] just felt like too much?
> Zach: Yeah.
> Jennifer: Is she becoming a little bit less crazy? I mean, is she proving to you that maybe she could be a little bit less crazy? …
> Zach: I don't know. She's pretty crazy!
> [Laughter]
> Zach: Nah, she—I don't know, I just think that she's really stressed out and it causes a lot of other things to go on in her head, the fact that she's so stressed. She's got work; she can barely make the payments on the house; she can barely make everything. Plus, she's paying money to the state for me to be here, which isn't helpin' at all, which is actually a lot more stressful…

The insight Zach shows about his mother is not something he possessed when he arrived at secure care. Zach had a therapist, with whom he did family and individual therapy. He also had access to other staff to help him achieve insight. But notably, it was none of these others that Zach credited with helping him. Mama Ana taught him. Mama Ana influenced him, getting him to try a new approach, helping him to see things from other perspectives. Ana helped Zach through the reactionary, emotional, "acting out" fog to a place where satisfaction and compliance felt novel and appealing.

Carlos provides a counterexample of legal socialization. During Carlos' rocky return to secure care after an attempt to transition back home, he recounted to me what many of the secure care staff had told him during his initial stay. The strongest memories for Carlos might best be characterized as threats: how much additional time in secure care Carlos could expect if he returned while on transition, how angry staff would be if he let them down, what the Youth Parole Authority would do if they rescinded his parole transition. Carlos heard these threats as guarantees and he repeatedly used them as justification for his subsequent choices. The threats were sometimes inaccurate and out of the decision-making control of staff (e.g., promises about what other legal authorities would do). The hardline stance taken by staff mimicked Carlos's relational problems to his own rigidly strict mother. It also caused an unfortunate exacerbation of Carlos's internal decision-making problems that made him less likely to communicate

openly with staff about his concerns and fears. Although Carlos did not have the same reaction to staff that Marco had to Jordan's provocation of him in the gang writing example earlier, it would not be inaccurate to characterize the following months that Carlos spent getting himself transferred to the adult system as one long, reactionary, tirade to avoid "more of the same" that he experienced at home and in secure care: a rigid, disciplinary environment that failed to elicit his cooperation and compliance with the better outcomes sought for him. In terms of legal socialization, secure care failed to capture Carlos' internalized agreement to the process. For his part, Carlos could never stave off emotional reaction in order to achieve considered response.

Procedural justice cultivates legal socialization through developmentally appropriate interactions. But what this research says about secure-care staff is at least as significant: that *their* behaviors in their everyday interactions with youth can make a difference in the future offending patterns of youth and their desistence from crime. Specifically, staff interactions convey procedural justice to youth that can engender compliance in the immediate term as well as promote legal socialization and crime desistence over time. Staff are indeed competing for the hearts and minds of youth, but not just with each other. They are also competing with deviant peer contagion processes and with street notions of respect and justice, as mentioned in Chapter 7, and with the prior socialization that youth bring to secure care. In other words, staff are engaged in a process of legally socializing youth to be respectful, trustworthy citizens by treating them with the types of interactions JJS seeks to produce in them. This procedural-justice approach contrasts sharply with a "power over" approach and a "scare them straight" approach, which show dubious research outcomes (Greenwood, 2006).

Procedural Justice and Identity

In parts of the procedural-justice literature, identity is a mediating variable between procedural-justice perceptions and people's behaviors, such as compliance or determinations of legitimacy. In terms of secure-care youth, their determinations of staff as legitimate social-control agents and their choices to comply with staff directives are shaped by the ways in which youth socially identify with staff during decision-making encounters. In what is called the group-engagement model, decision-makers, through their interactions, effectively shape the social identity of decision-recipients (Blader & Tyler, 2009). Feelings of being treated fairly influence the social self by shaping one's self-definition (De Cremer & Tyler, 2005). Two aspects of the social-identification process in secure care are critical to engendering the promise of procedural justice: the quality of interactions in the treatment environment and informal competency development efforts by staff.

In terms of the secure-care treatment environment, consider the contrast between procedural-justice examples described in this chapter and the quality of interactions in Cottage Summit where youth "hated" staff and staff made much of their authority over youth, described in Chapter 6. The everyday interactions worked to remind youth of their lesser status and worth, consistent with other studies of juvenile delinquency treatment programs (Gray & Salole, 2006; McAra & McVie, 2012). The problems posed by the social identification process inherent in these decision-making encounters is the impact on youth self-identity. As Bradford et al. (2014) discuss, it is this social identification process that points to why being treated like a juvenile delinquent, or being labeled as one, might cause one to act like a delinquent.

In Cottage Summit, the ways staff enforced compliance triggered a reactionary defiance in youth. That defiance resulted in the youth denials that staff had a positive influence on them and served as a barrier to authentic treatment learning. Recall that

Cottage Summit youth were more likely to complete their treatment assignments and for those assignments to be of higher overall quality than in Cottage Bravo. They were also more likely to attend treatment groups without complaining, to sit attentively, and to provide prosocial (if surreal) contributions to the treatment groups. My argument flies in the face of these "positive outcomes" by suggesting that they are, in fact, undermined by a treatment environment that emphasizes the pervasive "power over" youth. As Mary Parker Follett (1924) notes in the opening epigraph, control, properly conceived is "activity between, not influence over" (p. 186). Efforts at "power over" – called "power and control" in JJS – instead raised the reactionary hackles of youth. The effect was that Cottage Summit's treatment environment turned youth against staff, making social identification less likely. Thus, youth were less likely to seriously entertain the treatment objectives of secure care and the alternative ways of living that they present than had they delivered those same objectives in a manner consistent with procedural justice.

The causal argument about the treatment environment is that because youth doubt the legitimacy of staff and because the social-identification process that helps to engender compliance (and legal socialization) is derailed by perceptions of unfair treatment, the outward compliance that is achieved is involuntarily given and feels compulsory to youth. It is an extrinsically-motivated compliance which can prove less durable and less congruent with the aims of legal socialization. The argument is consistent with procedural-justice research findings. Notably, it is also consistent with ethnographic research findings in situations of extreme inequality, like that of Scott (1990). It is consistent with Gladwell's (2013) insight about the backlash (be it internal or external) that often accompanies a lack of legitimacy. It furthers that insight to acknowledge that the failure to attend to perceptions of legitimacy, and the social-identification process that cultivates it, has longer-lasting legal-socialization implications.

In Chapter 6, I describe how informal competency development efforts in secure care affect youth outcomes. These efforts fall outside of formal treatment activities and during the significant "down time" or free time available to residents. Staff make interpersonal connections with youth and role model alternative ways of being by sharing their personal interests and spending time with youth watching movies, talking, and playing games. Recall from earlier in this chapter that OJJDP claims that role-modeling increases community safety insofar as it helps youth to make connections with positive community members in ways that inhibit further offending. And yet, the idiosyncrasies of the staff involved in these interactions can have powerful effects on youth that are not contemplated by official secure-care goals but can make profound differences in a youth's secure-care stay.

What is important to recognize about informal competency-development efforts is the relationship between the social-identification process and procedural justice. During these informal interactions, when youth are least likely to feel constrained by the authority of staff (although in secure care the enforcement role of staff can feel pervasive), an important identity-formation influence is occurring among youth, one that ultimately affects compliance and adolescent development and thus youth outcomes. Through these interactions that rely consequentially on the personal characteristics of staff, youth are tempted to try on novel ways of being in the world and to explore potentially new interests, things that as adolescents they are developmentally predisposed to consider. By tapping into identify formation, these informal moments, where it may seem like nothing of consequence is happening, are precisely where the cultivation of procedural justice occurs. It is during the informal competency-development efforts of staff, the time spent making connections with youth outside of formal-treatment activities, where staff do the critical work that leads to youth determinations of the legitimacy of staff and decisions to comply. Whereas most

research on procedural justice examines discrete decision encounters for whether decision-recipients are affected by fair treatment, this research shows that secure-care staff are constantly building (or putting at risk) estimations of fair treatment by youth, even and especially, outside of formal-treatment (decision-making) activities.

To put it differently, procedural-justice research demonstrates that social identification occurs during the process of making judgments of fair treatment (Bradford, Murphy, & Jackson, 2014). It is a process whereby decision-recipients socially identify with their decision-makers. The identification leads to judgments of legitimacy (Bradford et al., 2014) and to compliance (Bradford, Hohl, Jackson, & MacQueen, 2015). In secure care, decision encounters are common because of the social-control nature of the environment and because of the constant, lengthy nature of the interactions involved. But there are also many moments in secure care that occur seemingly outside of this formal realm. In secure care, procedural-justice judgments are built not only in the decision encounters that occur during official-programming efforts but in informal interactions as well. The efforts of staff are always influencing the perceptions of fair treatment among youth, even when they are not actively engaged in decisions that compel youth behaviors.

To return to the Cottage Summit treatment environment once again, I argue that it is precisely the informal competency-development efforts by staff that somewhat mitigate the "power and control" treatment environment. Zach's connection to Ana and Armando's connection to Kimball are examples of relationships that help youth endure the highly compulsory nature of secure care and to some degree stave off the reactionary emotions resulting from estimations of unfair treatment. In a treatment environment less focused on "power and control," those connections between staff and youth can work positively toward furthering openness to treatment and, ultimately, legal socialization.

In summary, it is the quality of interactions between staff and youth that cultivate

the social-identity process in ways that go on to have powerful effects on youth behaviors. Through the impact of those interactions on procedural-justice estimations, they affect openness to treatment, compliance, satisfaction in secure care. A treatment environment that conveys to youth that they are being treated fairly and that the staff are legitimate agents of social control – even (especially) when it holds youth to high behavior and treatment standards – engenders openness and compliance, in part by staving off the reactionary unfairness judgments that preclude positive outcomes. Importantly, the critical interactions occur not just in formal-treatment activities but also in the informal competency-development efforts of staff that occur during the many "down time" hours in secure care. Finally, these findings point to the critical importance of operative norms and everyday practices in secure care for addressing public policy concerns like reduced recidivism rates.

Procedural Justice: What's in it for Staff?

Procedural justice offers an approach to working with youth that is consistent with the developmental needs of adolescents, but it also offers potential benefits for staff. In this section, I make two related but distinct points. First, I outline the ways in which a procedural-justice approach to working with youth provides guidance and benefits to staff. Second, I argue that for procedural justice to be effective in a secure-care environment, it needs to find successful implementation at another level: the use of procedural justice by administration in its interactions with secure-care staff and JJS staff more generally.

Staff Benefits in Cottage

A procedural-justice approach to working with youth offers staff important benefits. It responds appropriately to the challenge outlined in Chapter 7 to shore up

staff professional identities against the negative influences of street respect and deviant peer contagion. Importantly, it does so without accentuating the power differences between youth and staff. By leveraging the social identification process and focusing on the respectful and trustworthy interactions between staff and youth, it facilitates positive role modeling and bolsters the operative norms and everyday practices in the treatment environment in ways that benefit staff.

Additionally, a focus on procedural justice informs and further specifies widely-held local beliefs about the importance of "rapport" and relationship-building. It thus builds on concepts *in situ* at the same time that it offers staff a lens to evaluate the varying approaches to working with youth that they observe in their coworkers. As I show in Chapter 7, there are a range of approaches to working with youth in secure care, and staff have little formal guidance with which to adjudicate among the variety of approaches they see. The range of approaches yields variation in the quality of interactions between staff and youth, and as I show in Chapter 5, leads to different expressions of the BARJ components of accountability. In a more abstract sense, a procedural-justice approach to working with youth offers, as discussed in Chapter 5, an implicit theory of the world and a model for (inter)action to guide staff behavior. It sets conceptual limits and helps staff define situations and propose coordinated action with youth.

A focus on procedural justice should produce modest but beneficial decreases in the unpredictability of interactions that I discuss at the conclusion of Chapter 5. Individual idiosyncrasies among staff will still result in variation in secure-care interactions, but I argue that this type of unpredictability most often benefits youth positively insofar as it assists in the social-identification process. The decreases would occur in those interactions that are inconsistent with procedural justice: disrespectful interactions with youth, those that make much of staff "power over" youth, and those

that break trust. What would remain is the productive pluralism of interactions that acknowledges the skills and personal characteristics staff bring to the diversity of youth residents that they serve. In other words, it provides a partial settling among the various approaches in secure care.

To illustrate, consider the interactions that occur in staff meeting and in dealing with Braden's manipulation of phone calls discussed in Chapter 5. There, staff contested several approaches to dealing with Braden. Recall that Kimball sought swift and consistent consequences for Braden's rule-breaking. He denied the importance of connecting interpersonally with youth even though his obvious dedication to serving youth belied those views. Kimball, like many staff in secure care, also did not worry much about the actions of his fellow staff. He sought to teach the decision-making lessons he had to offer youth and let other staff "do their own thing." By contrast, Mike sought consistency in responses among staff. He saw team responses to youth as critical to providing the modeling and stability that youth needed to grow and change. Finally, Jordan sought to provoke youth into a teachable moment. He "messed with" Braden by denying that Mike had left him a phone call. He advocated telling Braden, "Man, your girlfriend don't love you no more!" as a way of getting Braden to face up to the protective order and the lying associated with his phone calls. As I claim in Chapter 5, these different approaches provide the "narrative footing" that reveals the positions of staff and grounds their actions. An approach consistent with procedural justice would highlight the interactive process more than it would prescribe a particular outcome. It would provide a footing to ground and guide staff interactions, one that stresses the quality of those interactions and demonstrates evidence-based reasons to support it. And yet it allows staff the discretion to make the outcome decision that best meets the needs of the youth and the complexity of the specific situation.

Jordan's approach appears least aligned with procedural-justice principles

insofar as tricking youth in order to facilitate a teachable moment is dubious on the grounds of respect and trustworthiness. Youth may come to be wary of a staff person if they repeatedly lie or trick youth. Some staff are definitely still able to establish close connections to youth using more provocative approaches. For much of my observation period, I was quite drawn to staff that used provocative approaches. They took risks with youth in ways that seemed to offer great pay-offs. And youth often had an attraction to staff using provocative approaches. In some ways, their unpredictability may have felt more "usual" to youth in terms of their presecure care lives. Certainly, connections to these staff is more "dangerous" and "volatile," something that can appeal to the risk-taking desires of adolescent youth (NRC, 2013).[79]

Insofar as Kimball's approach focuses on the consequences (outcomes) delivered for misconduct rather than on the quality of interactions, it shows less of a procedural-justice approach. As Mike said eloquently,

> These boys need more than consequences. They need to know that they can rely on someone, that we'll hang in there and help them on their issues and be role models. They've had enough arbitrariness in their lives already, most of 'em anyway. Of course they're going to test boundaries! We have to be consistent in our response if we're ever going to teach them anything.

Mike's comment provides much insight into why a procedural-justice approach works in secure care. Role-modeling appropriate interactions for youth provides alternatives to street versions of respect and the "power over" ethos that governs street life. It helps tap into the identity-formation process that adolescents engage developmentally. And it seeks to provide a consistency of approach across staff while still fostering productive pluralism in secure care.

As I argue in Chapter 6 and earlier in this chapter, nothing in my research

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[79] Although provocative approaches seem inconsistent with procedural justice, I cannot and do not claim that they are always so. Unfortunately, this dissertation does not attempt to specify what a provocative approach would look like were it to also be consistent with procedural justice principles.

suggests that holding youth to high standards, as Kimball does, and a carefully structured program are inconsistent with procedural justice. On the contrary, procedural justice is precisely what can help staff generate compliance to a structured, demanding program. Thus, each of these staff perspectives – those of Jordan, Kimball, and Mike – can be weighed against a procedural-justice approach to help determine effective parts of interactions and staff behaviors. Procedural justice can provide a positive model of appropriate interactions. Since, as I show in Chapter 5, staff constantly contest their different approaches against one another to achieve an equilibrium that helps secure-care life to move forward peaceably, that positive model helps staff to adjudicate between approaches and to make joint decisions about how to proceed with the vast range of situations they encounter with youth. Over time, it sets operative norms in secure settings that guide collective action.

Implementing Procedural Justice: Building Support Through Staff Investment

Any recommendation for how to increase the effectiveness of a secure-care environment must grapple with the realities of implementation including the reaction of staff to new practices. As I show earlier in Chapter 7, staff use the designation of "old school" in part as a way to resist change and show themselves in contrast to newly proposed ways of working with youth in JJS. Procedural justice, as a recommended change of approach, stands to be perceived as a "flavor of the month" just like other historical change initiatives in JJS. What makes procedural justice different and more likely to result in positive change in the Division is its relevance not just to the youth population served but also to the staff population.

In addition to recommending that secure care should use a procedural-justice approach to working with youth, I make the coequal argument that JJS administration

should use a procedural-justice approach to working with staff. Because procedural-justice research is relevant to decision-recipients broadly-conceived, including in workplace and personnel situations (Cohen-Charash & Spector, 2001; Cropanzano, Howes, Grandy, & Toth, 1997; Harris, Andres, & Kacmar, 2007),[80] my argument is consistent with findings that indicate that *staff* compliance with programming change will be higher if staff perceive fair treatment in the workplace. In other words, if JJS administrators treat secure-care staff with respect, provide them with opportunities for voice in programming and workplace decision-making, provide a level playing field, and conduct themselves so as to be perceived as trustworthy administrators, then staff will be more likely to implement the behavioral changes consistent with procedural justice that administrators advocate.

There are four main ways in which an administrative approach to procedural justice could positively affect staff. First, if management implements a procedural-justice approach with staff, it models the type of behaviors and practices that staff would productively use with youth. It treats staff in the ways in which management advocates that staff treat youth (Masterson, 2001). Although staff (as adults) do not engage the same adolescent identity-formation process as do secure-care residents, procedural-justice research shows that the causal chain of procedural justice and compliance still implicates a social-identification process. In other words, if staff identify with JJS administrators, they are more likely to comply with the initiatives sought by administration. Role-modeling behaviors help to engage the social-identification process.

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[80] The organizational literature distinguishes procedural justice from interactional justice, with the former focusing more on procedures and the latter on interactions. In the criminology literature, procedural justice connotes both fair process and fair treatment, perhaps even with an emphasis on the latter. In terms of the organizational literature, I refer to procedural justice and intend and cite both procedural and interactional justice work.

Second, the use of a procedural-justice approach by management offers staff a voice in secure-care practices. It does not mean that staff make the operations decisions, but if asked by management and the input provided is taken seriously, staff will be more likely to accept and comply with the decisions, even when staff do not get what they want. Taking input seriously means learning and valuing staff's local and tacit knowledge (Flyvbjerg, 2001) and coming to understand how practices can inhibit or accelerate organizational learning. Increases in organizational commitment are associated with levels of procedural justice (Cohen-Charash & Spector, 2001), especially during times of organizational change (Tyler & De Cremer, 2005).

As demonstrated in Chapter 7, there are a number of working conditions that affect staff professional identities negatively in secure care. Procedural justice can help mitigate some of these working conditions. For example, procedural justice stresses a version of respectful treatment that contests the influence of street mentalities in secure care. By its clear emphasis on the component parts of quality interactions, procedural justice can help stave off the degradation of staff professional identities. When staff do not model the negative behaviors that secure care seeks to minimize in youth, it provides an environment more conducive to offering an array of positive and alternative ways of being for youth. Of course, any secure-care environment will inevitably provide mixed messages here and there. An emphasis on procedural justice helps to keep mixed messages within a certain positive range.

The final benefit that I argue comes with the use of procedural justice requires some explanation. Recall that staff ask routinely for feedback about their work, a request that in this chapter contributed to the argument for a complex measure of recidivism. There, I indicated that staff required *sustenance* to help maintain their energy and enthusiasm for working with the troubled and often difficult youth assigned to their care. One way that administrators can help provide that sustenance is in terms of outcome

and process feedback. Two examples of potential types of information that could provide this sustenance are recidivism reporting and feedback about the quality of services provided in terms of procedural justice. The argument for a more complex measure of recidivism would help staff to know if they have made short- and long-term differences in the lives of youth. Outcomes reported by facility or by even by cottage could help staff understand the impact of differences in approaches to treatment services.

In terms of procedural-justice feedback, efforts to collect information from youth and families about the way they were treated in secure care could help staff learn how their efforts were received. Surveys that measure levels of procedural justice received are one way to solicit such information from clients. Staff can use these types of information – recidivism measurement and procedural-justice feedback –to create meaning in their work which in turn can affect choices about approaches to one's work as well as commitment to it.

Measurement can accomplish multiple goals. In addition to giving feedback to staff, it can also help to differentiate between cottage approaches over time. Importantly, *how* survey results are used by administrators can make important differences in how attempts at measurement are perceived by staff. For example, if staff perceive, rightly or wrongly, that survey results could be used against them and affect their job security, they will be received with more suspicion and negativity than if they are provided to staff without the potential threat of employment action. Indeed, one of the primary lessons of procedural justice is the importance of process in helping to facilitate particular outcomes.

* * *

In summary, procedural justice provides a way for secure care to provide services to youth that encourage compliance and openness to treatment through developmentally-appropriate means. Specifically, it a) makes use of the identity-

formation process that occurs during this time of an adolescent's life, b) structures interactions with youth so as to assist them in forestalling the reactivity that discourages the maturation of their decision-making skills, c) role models appropriate interactions and calls youth to practice them, and d) minimizes the relevance of street mentalities in secure-care life and, correspondingly, its negative impact on youth and staff identities. Procedural-justice approaches increase client satisfaction and compliance and promote legal socialization. In addition, and equally important, the use of procedural justice by JJS administrators in their interactions with JJS staff can help facilitate the successful implementation of procedural justice at service provision. It can also improve working conditions that can compromise the secure-care treatment environment. By modeling procedural justice for staff, administrators can build the kind of organizational environment that provides a consistency of process and the quality interactions that benefit staff working conditions and, ultimately, youth and families served. Paying attention to procedural justice puts the focus appropriately on local, operative norms and the everyday practices that affect the deceptively mundane interactions between youth and staff.

The Identity Politics of Procedural Justice

In Chapter 5, I argue that politics pervades the secure-care environment insofar as the constant contestation of differing treatment frames results in a series of temporary equilibria that help to establish the minimal agreements that maintain peaceable day-to-day operations. The constitutive parts of these equilibria are the interactions that occur between staff and youth, among youth in cottage, and among staff. Contestation is ostensibly among the personalities in secure care, but it is also about the different models for action to which the various personalities give voice.

The idiosyncratic parts of staff identity are consequential to how policy gets

expressed in the day-to-day interactions that aggregate to become the secure-care treatment provided to youth. Those parts allow staff to make connections to particular youth and can work to encourage openness to treatment and the sincere entertainment of alternative life pathways. The upshot of this interactive identity importance is that secure-care rationalities depend, as Foucault acknowledged, not just on pervasive rationalities that govern juvenile-delinquency treatment – a new versus old penology or a punitive versus rehabilitative ethos – but also, and critically, on the everyday street-level interactions that materialize policy in the lives of secure-care youth. The governmentality gap and the parallel gap between official policies and their implementation noted by the street-level bureaucracy literature both express the politics that occur at the level of service provision that cannot be understood, or often even observed, at the levels of official policy. A related way to put this, which I explore in the conclusion, is that empirical policy analysis should involve contextual understanding of street-level human interaction (like that gathered in ethnographic research) and not just measurement of process and outcome data.

Politics are implicated in secure care in another important way. Secure care comes at a time in youths' lives when they are developmentally focused on identity formation, on deciding who they are and who they want to become as they move toward adulthood. Because the juvenile-justice system has intervened in the lives of these adolescents and because *parens patriae* means that the state plays a proxy parental role while it has custody, the state is engaged in a rehabilitation process that has significant potential to influence the identity of youth. I have demonstrated examples of this identity influence and the crucial role played by staff. In some ways, we might liken this overall influence to that which occurs in public education (Justice & Meares, 2014), but the 24-7 nature of the contact makes it more intensive. And it is not at all clear that the character of the influence is comparable. Secure care is inarguably and explicitly a

process by which the state seeks to socialize, control, and rehabilitate youth found to have committed serious acts of delinquency.

The identity influence of secure care affects individual identity, social identity and civic identity. In terms of individual identity, I have shown that the potential for identity influence is strong because of adolescent-development traits and because of the duration and proximity of contact between staff and youth. Due to the idiosyncratic nature of the personalities involved, that identity impact has the potential to entice youth to alternative ways of living on which they could fashion an adult identity and legally-socialized adult life. This influence is radically underdetermined, dependent upon a myriad of uncontrollable factors. As it should be. Secure care should not be selecting preferred identities for youth even while it aims at socialization and rehabilitation. What all this means is that secure care should be a setting where a productive pluralism reigns because it provides to youth a robust array of choices from which to fashion a self. For adolescents who typically and developmentally thrive on novelty, on risk-taking, and experimentation (NRC, 2013), an environment of pluralism stands the best chance of achieving the kinds of identity formation associated with positive life change.

A focus on individual identity of the kind that secure care offers can obscure what is an interactive and mutual process of identity formation. Both youth identities and staff professional identities are implicated in secure-care interactions. What the example of secure care demonstrates is that the governing of the self is interconnected to the governing of others in ways that have public policy implications. To consider a focus on the rehabilitation of youth without a corresponding understanding of the effects on others, whether those others are staff or citizens more broadly, misunderstands the process of juvenile delinquency treatment.

And yet a focus entirely on selfcraft acknowledges only some of what occurs in secure care. Even with the effect on others shown by this dissertation, selfcraft has a

seemingly stubborn inward gaze. As one youth said to me about his peers while complaining about having to "call groups," "Let 'em hold their own self accountable. I don't need to hold them accountable. You know what I'm saying? Yeah, I came here by myself, and I'm gonna leave by myself."[81] It is harder to build a productive politics solely on care of the self, especially in a society and justice system that views juvenile delinquency – often a group-level phenomenon (Zimring, 2005) – to be an issue of individual accountability. A focus on procedural justice refocuses that gaze on more associative concerns – conducting quality interactions and the importance of the perceptions of others – even while it acknowledges the important self-identity processes at work. It prompts youth (and staff) to consider the perceptions of others, to think about what actions can work to create feelings of respect for and trust in an Other. It pushes youth beyond self-craft toward a fuller understanding of and participation in community life.

Subject to the decisions of staff, youth who are afforded procedural justice are more likely to engage in social identification. That identification looks often like a developing desire to "be like" staff, to copy their mannerisms, and to take on staffs' positions on issues or sides of an argument. Identification understands identity in terms of sameness. Recall that many youth talk about wanting to work one day in secure care or otherwise help troubled youth when they are adults. Social identification is a relational understanding of self that affects the legitimacy of the decision-maker (Bradford et al., 2014) and the governmental institution (Murphy, Tyler, & Curtis, 2009; Tyler & Krochik, 2012). It serves as a social-psychological bridge to build compliance in the short-run and, if that identity influence is positive, legal socialization in the long-run. Thought of in JJS as "role-modeling," this social identification can pull youth to positive

[81] As described in Chapter 6, "calling groups" was a requirement in Cottage Summit that youth turn in other youth to staff for rule violations they noticed.

behaviors and motivate them to persist in making better choices and staying away from bad ones. Recall that OJJDP sees role modeling as helping to inhibit delinquent behaviors. Social identification also serves to bring to the fore in youth minds the unavoidable challenges of coexistence and listening and considering the views and perceptions of others: essential building blocks for a constructive politics.

The way in which individual and social identity work in secure care raises the important issue of causality. Although I provided in Figure 2 (see above) a diagram of how empirical research shows that procedural justice affects interactions, there is a significant way in which the mechanisms of identity influence are not diagrammable. A constitutive causality (Schwartz-Shea 2014) operates here, a way of being, a mode of becoming that, although the factors involved in that identity formation process are identifiable, and I have tried to identify them here, does not lend itself to the kind of graphic representation that, say, factor analysis allows. It is hard to say precisely which factors and in which amounts, have affected how we come to conceive of ourselves or how we have been effectively socialized. What I have tried to do instead is show that identity, in important ways, is involved in secure-care *treatment as content* and *treatment as process*. It is involved both in terms of the interactive medium through which treatment is provided and an important part of what's at stake in terms of outcomes for youth and, perhaps surprisingly, for staff.

What secure care implies for civic identity is less immediately obvious although no less important than the other two identity impacts. That secure care's explicit focus is on behaviors (and not identity) suggests that the effective content of its message about citizenship is law-abidance. In addition, the state seeks explicitly to impart its BARJ goals of accountability, competency development, and community safety. Although law-abidance and the BARJ goals form a centerpiece of program aims, this research shows that the content of that centerpiece depends crucially on the people involved and their

interactions. In other words, it is at the level of practice that philosophical and public policy goals find their expression in the lives of JJS youth. The considerable variation in goal expression that results from secure-care interactions is both the major benefit and shortcoming of secure care. The benefit is in its ability to provide individualized services to a diverse group of youth made possible by staff abilities to make real connections with them. The shortcoming is that environment's willingness to tolerate the kinds of approaches to working with youth that draw youth in, often for their novelty, but fail to help them, treat them unfairly, and in the worst of situations, cause harm.

A procedural-justice focus on secure-care interactions helps those interactions to be less vulnerable to the whims of individual personalities, while still allowing the important idiosyncratic interests and behaviors that facilitate connections with youth and expose them to novel and alternate ways of being in the world. It seeks consistency of process rather than individual outcome. It minimally adjudicates among these different approaches, ruling out or tempering only those inconsistent with the notions of fair treatment that research shows help to cultivate better outcomes for youth.

When youth have been primarily guided by notions of street respect, and the brute power and intimidation that it relies on to produce obedience, procedurally fair interactions stand in stark contrast. Being treated in a consistently fair manner by staff can be startling and even unnerving to some youth, particularly if they have been exposed to considerable arbitrariness or abuse by their authority figures. Procedural justice can seem "weak" to them at first, but it can also seem novel, drawing youth in by accustoming them to fair treatment and enabling a subsequent relaxation of the guarded nature that must accompany street life. One youth, near the end of his stay told me that he was (almost) glad he came to secure care because he could smile again there. Being in a gang and always having to look over his shoulder to make sure he wasn't in imminent danger, constantly having to "front" hard, have a "mean mug," and be ready for anything

caused him to feel always angry. He admitted that he worried about being "soft" as he went back out onto the streets again when he "got his zero," but it felt good to be a "smiley guy." This lived experience of fairness and of a respect that does not have to be earned or proved is something that youth can gain in secure care, a lesson that they can draw on at maturity or, hopefully, sooner.

The lesson of procedural justice can have a positive influence on interactions both between staff and youth, between administrators and staff, and among coworkers. Constantly battling street respect in secure care so that it does not gain control of the cottage treatment environment, as staff do routinely, can cause staff to wonder if brute force or intimidation might not just be the easier way to gain compliance. "Talk to them in a language they understand" is one way to phrase the approach. Procedural justice provides a powerful counterexample to youth and staff, particularly those raised under violent or abusive conditions. It teaches that perceptions of fairness play a significant role in the cultivation of durable consent. And it teaches that lesson through experiential example. It posits a civic identity that sees legitimacy of a decision-maker (and, more broadly, institutional legitimacy) as built on the ability to demonstrate to one's fellow citizens *their* importance to political life, rather than the importance or power of the decision-maker. It thus cultivates skills of citizenship that place value on interpersonal consideration and other-regarding behaviors.

Finally, procedural justice provides an important consonance between the official narratives of juvenile-justice policy and the lessons that youth actually learn from interactions with the juvenile-justice system, as Justice and Meares (2014) suggest in the second epigraph. Treatment goals that are consistently approached through procedurally-fair treatment demonstrate to youth what it looks like to put those goals into action. But the consonance goes further. For staff, having JJS administrators use procedural fairness to design and implement division goals and programmatic change

initiatives facilitates implementation efforts and models the behaviors that they would wisely seek for staff to use with youth. It demonstrates, through government action, a recognition of the Other, and it provides an important political lesson to staff and youth that says that modeling good behavior should not be restricted to or justified by adolescent development alone. In a JJS context, adolescent-development needs prompt the use of procedural justice because of its effectiveness in improving youth outcomes, but its organizational application speaks to the capacity of government to represent the very kinds of interactions JJS seeks to foster in its youth clients. To build on this chapter's opening epigraph by Mary Parker Follett: Effective efforts at consent and even social control are not productively about influence *over* but about activity *between,* or in other words, the quality of our interactions.

* * *

Letting youth out of secure care is a decision fraught with uncertainties. How much has a youth learned while in secure care? How much has he internalized his treatment lessons? How solid are his transition plans? How likely is he to pose a threat to the community and to reoffend? Does he have a meaningful understanding of accountability and the harm he has caused his community? Trying to predict how well a youth will do "on the outs" is not just a coping mechanism for secure-care staff struggling to create meaning under challenging conditions. My professional experience as a Youth Parole Authority member and this dissertation research tell me that it is a real-life problem with significant consequences that affects not just the individuals involved but society as a whole. This research understands secure care to be an unfortunate and troubling but accepted delinquency-treatment approach to dealing with some of the most delinquent and often violent youth in society. The ethnographic approach taken here demonstrates important empirical realities that affect service provision, organizational change, and the ultimate effectiveness of secure care. The resulting

recommendations seek to ameliorate some of the deleterious effects of secure care both on youth and on staff.

When youth feel connected to society through the positive, law-abiding individuals (including staff) who are important to them, short- and long-term community safety is enhanced. When programs designed to meet the delinquency-treatment needs of youth are offered in developmentally-appropriate ways, ways that acknowledge the needs and developmental tendencies of youth to form their identities and to practice at the kinds of cognitive, social, and decision-making skills they will use in community life, youth stand a better chance at accomplishing the goals set for them and the ones they set for themselves. When recidivism is measured as routine compliance as well as progress toward long-term goals at law-abidance and maturity, then policy makers, administrators, staff and society are afforded a more complete understanding of what is at stake in juvenile-delinquency treatment. When an emphasis on fair treatment and fair process finds its way into daily interactions – between youth and staff, among staff, and between staff and JJS administrators – JJS administrators gain a tool to help mitigate the problematic working conditions that negatively affect the quality of service provision and the maintenance of high behavior standards among staff. Finally, through the practice of procedural justice, youth, staff and administrators learn valuable, experiential lessons about the building of durable consent essential to a total institution dedicated to juvenile-delinquency treatment, a governmental agency, and importantly, to a liberal society.

CHAPTER 9

INTERACTIONS AND IDENTITY IN SECURE CARE

> Throughout the penal procedure and the implementation of sentence there swarms a whole series of subsidiary authorities . . . [and] all fragment the legal power to punish.
> ~ Michel Foucault, 1979

> [Interactions between welfare agents and citizens] illustrate the complexity of social domination, seen not only as coercion but, in the Weberian sense, as the processes and relationships that contribute to the reproduction of the social order.
> ~ Vincent Dubois, 2016

This dissertation charts the impact of secure care on two groups: youth residents and cottage staff. Interactions between staff and youth in secure care have important and ineliminable consequences for public policy, treatment services, and identity. As I show in Chapter 5, secure-care interactions work to express public policy goals like the Balanced and Restorative Justice (BARJ) component of accountability. The content of that expression depends on the day-to-day competition and collaboration that occurs to assess and frame people and events. Interactions show secure care to be a site of politics where volatility and *intercontingency* (Becker, 1998) permeate the implementation of policy and treatment practices.

Interactions do more than express policy. As I argue in Chapter 6, the intensive and prolonged interactions between youth and staff affect youth identities. The idiosyncratic characteristics of staff attract youth, often for their novelty, and for how they represent alternative ways of being in the world. Positive connections to staff facilitate developmentally-appropriate, youth-identity formation. Identity formation

and their constitutive interactions have the potential to affect dramatically the choices youth make while in secure care and beyond.

The adolescent predisposition to identity formation, realities of adolescent brain function, and moral development combine to indicate that forestalling youth reactivity and defiance through minimizing emotionally-charged interactions can assist youth in positive decision-making. *How* staff interact with youth can contribute to the creation and maintenance of a treatment environment that recognizes the strengths and weaknesses of adolescent development. A productive treatment environment can further identity formation, treatment receptivity, competency development, and legal socialization. When the treatment environment minimizes power differentials and conveys procedural justice, as suggested in Chapters 7 and 8, youth are more likely to identify with staff which can in turn improve three consequential outcomes: 1) their estimations of the legitimacy of staff, 2) their satisfaction and compliance with staff decisions, even when the decisions are not in their favor, and 3) their sense of personal, social, and civic identity over time. Developmentally-appropriate services can improve outcomes for youth and minimize disparities between official and implemented versions of public policy.

Secure care affects staff, not just youth. In secure care, policy is interactively built and expressed within an environment of mutual influence, even despite existing and large power disparities. As described in Chapter 7, the contagious effect pt of being surrounded daily by delinquent mentalities and behaviors can 1) ratchet downward the quality of services provided in secure care and 2) negatively affect the professional identities of staff. Attention to *treatment as process* and the operative norms in secure care can mitigate these negative effects. In addition to the benefits to youth, the use of procedural justice in JJS promises to improve secure-care practices and the working conditions of staff.

In this concluding chapter, I address a number of themes raised repeatedly throughout this dissertation. First, I discuss the important role that ground-level understandings can provide in an age of juvenile justice that places strong policy emphasis on evidence-based practices (EBPs). Next, I consider the issue of agency in the severely constrained setting of secure care, including an analysis of the meaning-making that surrounds the characterization of youth as "faking it to make it." I then examine the implications of my findings for the street-level bureaucracy and governmentality literatures, two empirical literatures to which I seek to contribute. Finally, I provide an extended discussion that reaches beyond the level of my interactive data to conceptions of identity that are social and societal, including my main recommendations for a productive pluralism and the use of procedural justice in secure care. I also address how public policy around juvenile delinquency can affect conceptions of citizenship.

* * *

To return to the policy question posed early in this dissertation, why would a juvenile-justice system that demonstrates dramatic change at the level of official policy produce surprisingly little change in youth outcomes? Continuity is the overarching narrative of juvenile justice (Greenwood, 2006; Jenson & Howard, 1998); yet, the system has swung back and forth between rehabilitative and punitive policy aims. Even as policies have changed the rules by which the juvenile-justice system processes youth cases, outcomes on a number of key measures have remained remarkably consistent. What accounts for the continuity? Local practice. Policy is enacted, materialized by people, specifically street-level workers and their youth clients, in settings intentionally distant from and uncommunicative with the official policy realm.[82] This dissertation

[82] By using the word "intentionally," I mean to suggest that delinquent youth, even when they are receiving state services, are always at the margins of society. To see such a youth at official policy meetings is rare, and when it occurs, it is at the orchestration of those in positions of power. Further, the 1995 Utah Children report

demonstrates that the pressures that change practice are dramatically distinct from the pressures that change policy.

This dissertation is premised on the idea that ground-level understanding of a setting yields insights that other methods are often at pains to provide. In addition to the findings in Chapters 5 to 8, I tested this premise by conducting comparison interviews with unobserved youth as they exited secure care. The comparison interviews were similar to the interviews I conducted with observed youth (i.e., I asked the same questions of both groups). But the comparison interviews lacked context and connection. By context, I mean that as an interviewer, there were significant ways in which their comments were opaque to me, despite my knowledge of secure-care facilities. Even though I understood treatment programming, juvenile-justice policy goals, and secure-care-facility policy and procedure, I still lacked local knowledge to make sense of these interviews. What I also lacked as a researcher was a connection to my interviewees. Without knowledge of their situations, motivations, and thinking, I had less insight into the meaning of their comments. Even more, without the trust established over months of "hanging around," playing games, and sharing some things about me, the comparison interviews lacked depth. By contrast, the interviews with observed youth produced indepth conversations that built on prior interactions, followed up on insights from other conversations, and delved into mutually-shared past events – all of which helped me to understand better my participants. To be clear, I had many gulfs to bridge with the youth I interviewed, not least of which were life history and often race, class and gender. When context and connection were also missing, the interview data gathered yielded little helpful information. When informed by ethnography, the interviews produced data with significant interpretive leverage.

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cited the benefit of site visits to administrators and policy makers who often had never seen the service delivery segment of the juvenile-justice system.

Public-policy and program-evaluation research often have quantitative and qualitative components; less often do they include an ethnographic component that allows for direct observation of human interaction. What this research demonstrates is that leaving off ethnography has potentially negative consequences. As I mention in a footnote in Chapter 6, a traditional program evaluation of Cottage Summit would likely have yielded strongly positive results. Only with the insight provided by ethnography was the hidden transcript of youths' reaction to the staff and to the program's hierarchical approach discernable. Treatment environment, and its impact on program outcomes, requires time and trust to understand and interpret. Other methods often cannot yield those insights. Lived experience, carefully assessed, can count as evidence in ways that provide important, even corrective, analytic insight. Public-policy and program-evaluation research could benefit from "both/and" logic rather than the dominant tendency to see quantitative data as superior. Building on Khagram and Thomas's (2010) "platinum standard" for evidence-based assessment, ethnography can provide a source of evidence valuable to a more inclusive understanding of research.

In an age of evidence-based practices (EBPs), what often gets overlooked is people and the unique cultural contexts of implementation settings. The implicit EBP aim to use the "gold standard" of experimental design to ground policy change often fails to attend to local context. The claim is that an EBP will, by definition, find generalizable success across a range of settings so long as it can achieve faithful implementation. Because local contexts affect implementation, EBP proponents spend considerable effort to promote practice fidelity (see, for example, NRC, 2013, p. 6). Administrative efforts to impose fidelity can put staff at odds with both current practice and their experiences with their youth clients, sometimes even alienating staff in the process. Consider the many "old school" comments made by case workers in Chapter 7.

Many EBPs show promise to provide developmentally-appropriate and effective

treatment to youth. My limited critique of the EBP approach is that it fails to address conditions in the local context that can do more to increase fidelity than more commonly used compliance methods. Working to achieve fidelity, without adequate attention to the interactions and relationships that create opportunities and barriers in the local context, is likely to produce "superficial compliance" (Matland, 1995) or backlash (Gladwell, 2013) rather than fidelity. Efforts to discover and address working conditions that give rise to specific behaviors in secure care can prove more effective than the common focus on enforcement of fidelity through "checklists" or coercion through supervisory surveillance. In implementation, space exists to subvert, stymie, or support the success of EBPs, even when those effects are unintentional. Foucault's subsidiary authorities, as in the first epigraph above, are the embodied secure-care actors who, in the process of implementation, fragment state power to punish (and rehabilitate).

To be clear, fragmentation is interactive more than the simple result of unilateral street-level bureaucrat action. As I have shown, some of the most relevant interactions are between secure-care staff and youth residents. Through these interactions, secure care brings to bear the state's institutional pressure on delinquent youth who have thus far resisted accepted levels of socialization. And yet, as I show in Chapter 5, policy finds meaning and expression through these interactions, and that expression varies considerably. In effect, secure care works to socialize youth formally through *treatment as content* (psychoeducational groups and other official activities) and, as this study emphasizes, through *treatment as process* (the informal, individualized connections between youth and staff and the quality of interactions between them). At the local level, variable expression is often interpreted as "mixed messages." It constitutes discontinuities, or a gap, between the official intentions and achieved outcomes, resulting in a fragmentation of state power. This fragmentation of state power is not due to staff neglect of or to miscarriage of their duties but, rather, due to the interactive

nature of treatment.

In addition to a fragmentation of state power, this dissertation demonstrates how youth seek agency in the severely constrained environment, through the ways that secure-care youth act, react, and interact with staff. They do so, in part, because their developmental tendencies push them to assert and form their identities. Their struggle for this agentic space is often perceived as an oppositional tendency of conduct-disordered teens (who, on this view, would be better off to defer to staff and improve their attitudes[83]). While that may be true to an extent, this research demonstrates ways in which the struggle is also developmentally-appropriate behavior. Further, it highlights the existence of these important spaces for agency – however slight – even in severely constrained, prison-like environments. Rehabilitation and resistance alike depend on this agentic space.

As I mention in Chapter 3, "faking it to make it" – a charge commonly leveled against youth to label behavior as simple disingenuous acting in order to regain one's freedom rather than authentic internalizing of new behaviors – demonstrates several aspects of this agentic space and the use youth and staff make of it. "Faking it to make it" is a ground-level understanding that emphasizes the agentic and resistant, if guileful, capacity of youth to choose how to receive *treatment as content*. Certainly, there are ways in which this meaning-making effort rings true. I do not doubt that youth behave in narrowly and strategically self-interested ways perhaps throughout their time in secure care. And staff are definitely faced with the daily necessity of assessing the veracity of youth claims with a level of accuracy that at least preserves immediate safety. However, this interpretation minimizes the ways in which youths make use of secure care experiences to craft an identity over time. It trivializes the complexity of the identity

[83] See the framing provided by a staff member in Chapter 5, Framing Accountability, for an example.

formation process, which involves the "trying on" of different behaviors and the experiential weighing of their associated identity implications. It elides the role that novelty and experimentation play in youth development and the practice required to engender habit. Further, "faking it to make it" completely obscures the significant role that staff and treatment environment (including the marked environmental dissimilarity to "real life") play in the interactive and developmental process. It ignores the way openness to *treatment as content* depends on the interpersonal connections between staff and youth as part of *treatment as process*. The label of "faking it to make it" is sometimes invoked pejoratively by staff with the goal of provoking youth toward authenticity. But what constitutes authentic behavior, especially given the constrained, coercive environment and the developmental process of identity formation, is anything but straightforward. When supervisors and staff point to the difficulty in predicting when a youth might make use of secure-care experiences to change his or her life in the time following secure care, they acknowledge a more temporally accurate and complex vision of youth agency.

This observation about youth agency points to differences between conceptions of the subject and personal identity. A symbolic-interactionist perspective on identity and a poststructuralist view of subjectivity provide contrasting views of the interiority of the subject. The starkest question inherent in both of these perspective is, "is there a modern, volitional subject?" Answering the question, in this context, points to the stubbornly individualist nature of the juvenile-justice system. Societally, we answer this question affirmatively whenever we choose to hold individual youth accountable for acts of delinquency that, based on the decision of a judge, require the deprivation of that youth's freedom. We hold them accountable despite evidence that suggests juvenile delinquency is largely a group rather than an individual phenomenon (Zimring, 2005). Refusing the volitional subject or refusing agency in the juvenile-justice system makes

incomprehensible the notion of culpability and its associated aims of accountability and treatment, particularly at the level of the child. A poststructuralist perspective—that sees identities as multiple, overlapping, relational, and always normative and that acknowledges the constitutive power of discourse and rationalities—helps to interrogate the ruggedness of that individual.

Everywhere in the secure-care environment are interdependencies between staff and youth, demonstrated through contestation, cooperation, and competition to frame people and events and to make meaning in a setting ripe with official and unofficial surveillance and assessment. Interactions work to demonstrate agency as an interactively-constructed phenomenon that relies not just on rationalities about delinquency and criminality but, also, on day-to-day, experiential realities of secure care and the differential abilities of youth and staff to make interactive use of them to fashion outcomes for themselves and each other over time.[84] Agency, resistance, and rehabilitation intertwine in secure-care interactions that are radically underdetermined, even as the environment is rule-laden, severely coercive, and under the near-constant potential for violence.

* * *

With its analysis of a total institution, this ethnography provides situational contrast to the street-level bureaucracy literature. Compared to many street-level research settings, secure care is more intensive in terms of the proximity and duration of client contact. In addition, the total institution environment's creation of "an enclosed, formally administered round of life" (Goffman, 1961, p. xiii) further intensifies the interactions especially insofar as the total number of interactive options (of staff and youth in secure care) are severely constrained. Secure-care workers have close, daily

[84] Those "differential abilities" include, at least, inequalities of formal power, developmental ability, and interpersonal and strategic skillfulness.

interactions with a youth for months and sometimes years. Such intensity of interaction results in a situation of increased mutual impact much greater than noted in welfare-research and other typical street-level settings, such as policing. Specifically, not only do workers determine who are the "worthy" and affect client identity (Maynard-Moody & Musheno, 2003), youth clients also affect staff professional identities, even when that impact doesn't register on a conscious level. With youth and with staff, secure care coerces and socializes.[85] Social domination, as Dubois (2010) notes in the second epigraph, both coerces and contributes to the reproduction of the social order. However, secure care's ability to negatively socialize is true for both youth and staff. The notion of deviant peer contagion identifies this harmful effect for youth, but this dissertation demonstrates a similar environmental tendency for staff. Secure care's ability to cultivate a treatment environment that encourages certain types of interactions and positive operative norms will affect the productiveness of the socialization for both groups.

This situation of mutual impact has implications for the gap between official policy objectives and their implementation, something taken up in different ways by the street-level bureaucracy literature (see Filler & Smith, 2006; Gebo, Stracuzzi, & Hurst, 2006; Maupin, 1993). This study demonstrates that even while it is not contemplated by official policy or by program policies, the implementation of juvenile delinquency policy implicates identity formation for both youth and staff, both because of the intensity of youth-staff contact and because of the developmental situation of adolescent clients. Attempts to understand deviation from official policy objectives should take into consideration the effective role of identity formation in secure care as well as the ways in which working conditions and treatment environment affect local identities. To be clear,

[85] Dubois (2010) notes this impact on welfare clients but not on workers, though he does recognize significant impact on workers through the conduct of their work.

this dissertation does not advocate identity formation as a formal secure-care policy goal. The explicit JJS focus on youth behaviors, as currently conceived, makes more sense on a number of grounds. But recognizing identity influences can help address policy implementation concerns, including vulnerabilities of the treatment environment and working conditions that can work against EBP success.

Mutual impact is also relevant to the governmentality gap: the empirically-observed gap between the official discourse of the "new penology" (Feeley & Simon, 1992) and implementation situations. Governmentality research has called for ethnography and other empirical studies to understand better penal cultures and the change process of worker practices. This dissertation research continues the trend of ethnographic studies that show the existence of practices that are more consistent with the "old penology" than "new penology." It supports the "braided nature" (Hutchinson, 2006) of the secure-care treatment environment insofar as official BARJ objectives find a range of expressions due both to the philosophical approaches of individual staff members *and* interactions between youth and staff (see also Gray & Salole, 2006). That identity formation occurs in secure care and hinges critically on interaction in the setting suggest that there is considerably more going on than the goals of surveillance, classification, and control posited by the "new penology."

* * *

This dissertation's focus on identity suggests that it could easily delve deep into individual, developmental psychology. I have not done so. Instead, my interest is in the social and, even more, the political ways identity affects the implementation of juvenile delinquency policy. My level of analysis – observing the interactions between youth and staff – is consistent with my findings about interaction and identity influence in secure care. I did not, for example, spend time assessing the inner lives of the youth in my study. And yet, my study also seeks to bridge levels of analysis, from local, ground-level

interactions to the level of policy and even society.

One way to bridge these levels of analysis is to examine the consistent process by which identity functions in secure care and in society. The constitutive causality at play in secure care means that youth come to see themselves in their interactions with staff. Secure-care youth can come to idolize some staff, to want to make staff proud of them for their choices and for living up to the potential staff see in them. Youth seek role models and craft their identities, in part, using the constitutive materials – interactions with staff (and youth) – available to them in secure care. The quality of those interactions help youth to entertain an openness to *treatment as content* and to imagine different possibilities for "who they may become" in their lives after secure care.

Put another way, the upshot of staff's work with youth is to make citizens, not simply to help youth to be "not delinquent," to encourage crime desistence, or even to provide *treatment as content*. As I show in Chapter 6, this making of citizens occurs through a youth-identity-formation process in secure care, one that functions through identification and sameness. By sameness, I mean that youths are typically attracted to or even inspired by a particular trait or interest they see in staff. They make use of that constitutive material to revise their behaviors and self-concepts to be *like* a staff person. This identity formation aspires to sameness rather than an oppositional identity formation that aspires to difference. This use of identification and sameness gives rise to my two main recommendations: the fostering of a productive pluralism and a focus on procedural justice.

Although sameness and pluralism may seem initially at odds, there are ways in which a productive pluralism can benefit secure care. It acknowledges the need for a rich environment while youth are doing the developmentally-appropriate task of identity formation. As a total institution, secure care runs the risk of being a monochromatic place precisely when youth need and seek variety. The identification that youth seek to

make is not with staff in an abstract sense but with a staff member in all of his or her particularity. Staff diversity can increase the likelihood that connections will occur across the range of youth that land in secure care. Part of legitimately "meeting youth where they are" is acknowledging their diverse needs and backgrounds and working to ensure that they have the raw materials they need to do their relevant developmental tasks (identity-related and otherwise).

A productive pluralism demonstrates options for youth when faced with the prospect of changing their lives to be more prosocial. As those of us who live outside of a total institution know, there are many prosocial ways of being to which law-abiding citizens may adhere. A productive pluralism in secure care shows youth that a range of legitimate choices exist for them to make and regain their freedom, especially valuable in a place where so much is compulsory. A productive pluralism partially mitigates domination through the intentional provision of diversity. It can help staff and youth to fashion a treatment environment that facilitates openness to positive behavior change.

Of course, pluralism has necessary limits in a setting that is behaviorally coercive by design. Given the range of delinquency-related behaviors that are widely represented in secure care, one wonders how to set limits on a vision for pluralism that would allow it to be "productive" in secure care. In my experience, much of the time, the law and the myriad of treatment rules function to limit pluralism in secure care in generally appropriate ways. This study's second main recommendation for procedural justice provides an additional set of process-related boundaries on that pluralism. It rules out, for example, disrespectful interactions. Process-related boundaries provide for partial settling of the ongoing contestation of approaches to working with youth demonstrated by staff. As this dissertation hopefully makes clear, in general, secure care is a surprisingly diverse place in terms of the personalities and backgrounds and behaviors of its participants (staff and youth). Productive pluralism seeks "productivity" in terms of a

youth's development, the treatment goals of secure care, and the working condition needs of staff.

A recommendation to make use of procedural justice findings in secure care acknowledges the considerable role of sameness and identification in youth identity formation. Procedural justice's use can help to provide the positive social identification data needed by youth for identity formation and facilitate youth satisfaction and compliance as well as safety and security. An approach consistent with procedural justice can role model for youth the process-based skills helpful to becoming productive members of society. It can facilitate a treatment environment that respects and furthers the developmental and behavioral progress of secure-care youth.

As I outline in Chapter 8, the crux of my argument for procedural justice is the way it provides a consonance between how JJS treats staff and how it asks staff to treat youth. By acknowledging the important role-modeling and staff-identification processes that occur in secure care, administrators can fortify the treatment environment with respectful and procedurally-fair interactions. By doing so, administrators gain two advantages. First, they help to prevent the deterioration of staff behaviors and professional identities. Second, they help staff to fortify the treatment environment and set operative norms of conduct in ways that mitigate the risks of deviant peer contagion common to residential delinquency settings. Further, the experience of being treated according to procedural-justice principles can build the experiential understanding among *staff* for an effective and empirically demonstrated process-based foundation for juvenile-delinquency treatment.

Beyond recommendations of a productive pluralism and procedural justice, there is more to identity than sameness and identification. As I show in the interactions between youth and staff in Cottage Summit and in the way in which being "old school" functions for JJS staff, identity works, in part, by establishing for itself an Other.

Difference plays a significant role in identity (Connolly, 1991). Sameness exists, of course, only in relation to difference. With identity influences so evidently at play in secure care, there is a tendency to make much of difference: to emphasize hierarchical differences between youth and staff, to demonize administrators and valorize line staff (or the reverse), to label delinquent youth as aberrant, dangerous, and evil. In the impulse to mark as different and as same, secure-care identities are vitally and irrevocably connected. At a societal level of analysis, the gesture is the same: we mark delinquent youth as different, as Other. We demonize youthful offenders as "street urchins" of the 19th century or as "super-predators" of the 20th century. We cast them out of society to be raised by government institutions, and we call it variously "rehabilitation," "punishment," "accountability," "competency development," and "community safety." However, to recognize the role of difference in identity makes "them" visible as part of "us," created by a society whose identity depends crucially on the construction of that Other.

What occurs in secure care on a daily basis has implications for individual and social identity, including national identity. Perhaps it seems ambitious to extrapolate from the margins of society where youth are being intentionally disciplined and segregated in order to think about collective identity, but I argue, with Connolly (1991), that how we respond to the differences in relation to which our identities are fashioned says much about the quality of our political and social life. If the logic of identity indeed operates always in relation to difference, delinquency and criminality can be viewed, in part, as the otherness that our collective identity often wishes to exclude. Our responses to delinquency and the impulse to exclude – seeking stability and safety, fearing violence and chaos, desiring punishment or retribution, personifying danger – find expression in our public policies. They have significance not only for the societal construction of target groups of citizens (Schneider & Ingram, 1997) but also for our collective identity. How

we work to "fix" the social problem of delinquency sets limits on the quality of our democratic culture and the possibilities of "who we may become."

One way of thinking about "who we may become" is to consider how program delivery teaches citizenship. How a public program delivers services shows youth (and their parents) and staff about the role of government in fashioning citizens. Teaching a procedural justice version of civility by role-modeling it in service delivery can be a powerful, proactive way to help program effectiveness. Even more, if we accept procedural-justice findings that service delivery communicates social-identity information, it follows that government is always teaching citizenship lessons to its clients (Soss, 2000, 2005) even when those lessons are not intentionally fashioned.

Foregrounding an intentional and interactive civility is a citizenship lesson that benefits delinquency treatment, secure-care staff, and the adult citizens that secure-care youth will someday become. It teaches that associational concerns can build stronger decision-making and durable consent. It provides important lessons about the responsible and effective use of power in situations of dramatic inequality. In this place at society's edge, where government brings its considerable power to bear on the identities and behaviors of a vulnerable target population, a focus on a kind of civility that values dialogic interaction has strategic value. The practice of such a civility poses a central, normative question: whether even in interactions characterized by marked power differences – like those between secure-care youth and staff – there might be something important to be learned from the Other.

* * *

Friends are like elevators. They can take you up, or they can take you down.
Duween Durrant, Youth Parole Authority member

The above epigraph is something that was often said by my Youth Parole

Authority colleagues to secure-care youth when I was a decision-maker in the juvenile-justice system. I now find myself contemplating this cautionary advice to pick friends carefully for how it instructively acknowledges the critical importance of one's environment. Whether we are secure-care youth contemplating a delinquency-free future outside of secure care, a staff member facing a career's worth of interactions with troubled youth in a locked setting, or an administrator or policy maker struggling with how to chart a productive course to address juvenile delinquency, those with whom we surround ourselves have a potentially profound impact on our behaviors and identity. Our interactions and our environment changes us over time.

Given that environmental influence, I acknowledge that I have spent such considerable time working in the juvenile-justice system. Its ways and the staff's fundamental commitment to bettering the lives of Utah's youth are so familiar to me as to be almost assumed. I have struggled to convey my admiration for and desire to support staff fairly in this dissertation. At the same time, there are concerning aspects about the way the juvenile-justice *system* deals with its most seriously delinquent youth. Nothing in this dissertation should be construed to suggest that I support the use of secure confinement to address the most seriously delinquent youth in our society. All of the research suggests that residential treatment is poised to do more harm than good in the lives of these youth, and many of my findings here support that conclusion. The still relevant yet chastened version of *parens patriae,* as outlined in Chapter 2 and developed throughout this dissertation, acknowledges both the public responsibility for raising children (Zimring, 2005) and the historical and current potential for negative impact. However, secure confinement of one version or another has been the order of the day for juvenile delinquency since the 18th century. Little on the immediate horizon suggests the sea change that would be required to move the juvenile-justice system to allow for the

treatment of these youth while they remain in the community.[86] And how to provide for public safety while meeting the developmental and rehabilitative needs of youth who have caused serious harm to others is a stubborn, even wicked, problem (Head & Alford, 2015; Rittel & Webber, 1973). Given those realities, of paramount importance is the work the juvenile-justice system needs to do to ensure that working conditions and treatment environment take youth and staff and "up" rather than engendering the deviant (peer) contagion that functions to take them "down." The recommendations in this dissertation are designed to achieve that considerably more modest aim.

Historically, delinquency's treatment has been a persistent policy question of rehabilitation versus punishment. More recently, the discourse has focused on "what works" and the associated, social science-based, EBP literature weighing the efficacy of various treatment modalities. Perhaps the most hopeful part of this "what works" effort has been the acknowledgement of the developmental distinctiveness of adolescence. This dissertation supports a developmental approach to "meeting youth where they are" insofar as it means understanding the developmental process and aligning services to help youths to achieve prosocial, law-abiding lives. Rather than giving in to youth interpretations of the world or their street-level mentalities, or even giving them what they want, "meeting youth where they are" means holding youth to productively high standards with developmentally-appropriate means that provide fair treatment by staff who emphasize interpersonal connection rather than power differentials.

Informed by ground-level understanding of the setting, I propose a critical consonance between *what* we teach youth and *how* we teach them, even as we hold them and staff to high ethical and performance standards. Recognizing treatment's bivalence

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[86] Current efforts at justice system reform by the Pew Charitable Trusts, the federal government and several state governments, including Utah, when they include juvenile-justice system reform, serve as one impetus for change. However, these efforts do not advocate an elimination of secure confinement for juveniles. Adequate funding for reform is a stubborn challenge.

elevates the importance of *treatment as process* to create a productive treatment environment for youth, positive working conditions for staff, and a pervasive focus on the quality of interactions that make treatment goals more likely to find success. If we are to truly meet the developmental and criminogenic needs of youth, the lesson that delinquency's treatment needs most to learn is that treatment effectiveness relies critically on *how* we work with youth.

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